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The State of Texas } At this day, the 30th day of April, A. D. 1861 the following named
County of Travis } persons were drawn to serve as Jurors at the Spring Term of the Dis-
trict Court of Travis County, 1861, by Frank Brown Clerk of the Travis District Court and
James T. McLaurin, clerk of the Travis County Court, in the presence of John G. Graves Esq
J. P. Travis County, in accordance with Article 1049, of Oldham & Wheles Digest, to certify which
the said Officers append their names, below to wit:

1. Eugene Bremond.
2. James Abercrombie
3. Israel Pickens
4. John M. Dougherty. John J. Ricks
5. Burgess G. Brown
6. James Lensing
7. Samuel M. Wright.
8. G. A. Risher.
9. Wm Armstrong
10. F. Krueger
11. G. B. Zimpleman
12. C. L. Berry
13. Joseph Warren
14. John Patterson Robert Bratton
15. Chs. F. McKinney.
16. L. B. Moore.
17. Elijah S. Pickett
18. James Young.
19. L. R. Jones
20. R. F. Matthews
21. Q. C. Bunning.
22. J. L. Potts.
23. H. R. Jamehill
24. B. F. Johnson

Frank Brown,
Clerk, D. C. T. C.

John T. Graves J. P.

T. M. Laurin
Clerk C. C. T. C.

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District Court Minutes, Spring Term, June 3rd, 1861.

The State of Texas } Be it remembered, That on this the 3rd day of June, A.D. 1861,
County of Travis } the same being the time fixed by law for the meeting of the Spring Term, 1861, of the District Court of Travis County, the said District Court convened at the Courthouse thereof, in the City of Austin pursuant to law. The Hon. A. W. Terrell, Judge of the Second Judicial District presiding, and present Frank Brunn, Clerk of said Court and John J. Price, Sheriff of Travis County.

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

X The Grand Jury heretofore selected by the County Court of Travis County, having been duly summoned by the Sheriff, by virtue of the Regular Venire issued by the Clerk, which is returned into Court duly executed, the Court ordered the Sheriff to call the names of those persons appearing on said Venire. Whereupon the following named persons answered to their names; to wit: James H. Raymond, John McCuistion, P. W. Norkin, John P. Banning, A. McLaurin, S. M. Cain, C. Stockton, Wm. M. Wilson, J. W. Garner, J. G. Gordon and Hugh McBride.

And thereupon it appearing that a sufficient number is not present of said Venire men to complete the Grand Jury It is ordered by the Court that the Sheriff summon a sufficient number to complete the list, to wit: four persons. And thereupon the Sheriff summoned and reported to the Court the following named persons to complete the panel, to wit: O. Wilcox, B. F. Johnson, S. M. Wright & B. A. Fisher. And thereupon the following named persons summoned on the Original Venire and by order of the Court, to complete the panel of grand jurymen, having been sworn touching their qualifications as such, and the Court having examined them under oath, and hearing their said Complaint, under the law, to serve, they were severally sworn, in accordance with law, to serve as Grand Jurors for and during the present Term of the Court, to wit:

1. P. W. Norkin
2. John McCuistion
3. A. McLaurin
4. C. Stockton
5. J. W. Garner
6. B. A. Fisher
7. S. M. Wright
8. James H. Raymond
9. John P. Banning
10. S. M. Cain
11. William M. Wilson
12. B. F. Johnson
13. John G. Gordon
14. O. Wilcox
15. Hugh McBride.

And thereupon the Court having appointed P. W. Norkin, Foreman, the said Grand Jurymen were charged by the Court as to the duties devolving upon them, in accordance with law; and ordered to retire upon a discharge of the same, under charge of Special Bailiffs duly appointed and sworn.

And thereupon It is Ordered by the Court that John Baker and James Ray be fined fifty Dollars each, for failing to attend as Grand Jurors they having been duly summoned by the Sheriff, and that Scire facias issue to each of them, returnable to the next Term of this Court, commanding them to appear and show cause why the said fines should not be enforced.

And thereupon It is further Ordered that the Criminal Docket be set for hearing and trial on next Thursday, the 6th June, 1861.

And thereupon It is Ordered that Court stand adjourned till next Thursday morning, at 9 o'clock.

District Court Minutes, Spring Term, June 6th 1861

Thursday, June 6th, A.D. 1861

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

111	The State of Texas	vs. Andrew Jackson.	Continued for service
132	The State of Texas	vs. Blake Thompson.	Continued for service
143	The State of Texas	vs. M. Needham.	Continued for service
142	The State of Texas	vs. C. C. Travelstead.	Continued for service
146	The State of Texas	vs. C. C. Travelstead.	Continued for service
152	The State of Texas	vs. C. C. Travelstead.	Continued for service
153	The State of Texas	vs. B. N. Thompson.	Continued for service
463	The State of Texas	vs. Joseph Rodgers.	Continued for service
477	The State of Texas	vs. J. M. Morris.	Continued for service
576	The State of Texas	vs. Truman B. Beck.	Continued for service
625	The State of Texas	vs. Wm. A. Bates.	Continued for service.
632	The State of Texas	vs. Wm. A. Bates.	Continued for service.
858	The State of Texas	vs. G. Burgamon.	Continued for service.
899	The State of Texas	vs. Alfred Evans.	Continued for service
900	The State of Texas	vs. J. C. Ervin.	Continued generally.
909	The State of Texas	vs. W. C. Phelps	Continued generally
905	The State of Texas	vs. John Marshall.	Continued generally
907	The State of Texas	vs. John Marshall.	Continued generally
908	The State of Texas	vs. John Marshall.	Continued generally
910	The State of Texas	vs. Geo. W. Paschal.	Continued generally
✓ 982	The State of Texas	vs. W. B. Gay	This case dismissed on motion of the District Attorney.
✓ 1137	The State of Texas	vs. Sam. Tate.	This case dismissed on motion of the District Attorney.
✓ 1138	The State of Texas	vs. Sam Tate	This case dismissed on motion of the District Attorney
1168	The State of Texas	vs. Langley & Chinnes	Continued for service
1177	The State of Texas	vs. J. W. Kirk	Continued for service.
1189	The State of Texas	vs. Easton alias Stoughton.	Continued for service.
✓ 1227	The State of Texas	vs. Thomas M. Evans	This case dismissed on motion of the District Attorney
✓ 1228	The State of Texas	vs. Thomas M. Evans	This case dismissed on motion of the District Attorney
✓ 1229	The State of Texas	vs. Thomas M. Evans	This case dismissed on motion of the District Attorney
✓ 1230	The State of Texas	vs. Thomas M. Evans	This case dismissed on motion of the District Attorney
✓ 1231	The State of Texas	vs. Thomas M. Evans	This case dismissed on motion of the District Attorney
✓ 1232	The State of Texas	vs. Thomas M. Evans	This case dismissed on motion of the District Attorney
✓ 1233	The State of Texas	vs. Thomas M. Evans	This case dismissed on motion of the District Attorney
✓ 1234	The State of Texas	vs. Thomas M. Evans	This case dismissed on motion of the District Attorney
1235	The State of Texas	vs. Wm. C. Leggett.	Continued for service
1236	The State of Texas	vs. Jacob Burson	Continued for service.
1244	The State of Texas	vs. Bud Cotton	Continued for service
1245	The State of Texas	vs. Bud Cotton	Continued for service
1246	The State of Texas	vs. Bud Cotton	Continued for service
1247	The State of Texas	vs. Bud Cotton	Continued for service
1248	The State of Texas	vs. Bud Cotton	Continued for service
1249	The State of Texas	vs. Bud Cotton.	Continued for service
1255	The State of Texas	vs. Saydin & Stegall	Continued for service
1256	The State of Texas	vs. Saydin & Stegall	Continued for service
1257	The State of Texas	vs. Saydin & Stegall	Continued for service
1258	The State of Texas	vs. Saydin & Stegall	Continued for service
1259	The State of Texas	vs. Saydin & Stegall.	Continued for service

District Court Minutes, Spring Term, June 6th, 1861

1260 The State of Texas v. Sandin & Hegall. Continued for Service
1261 The State of Texas v. Green Duffield. Continued for Service

1264 The State of Texas & W. B. Covington } Plaintiff & Defendant } On motion of the District Attorney It is ordered by the Court that an attachment issue, on behalf of the State, to Williamson County, for the witness Ben. Hines, and case Cont'd

1279 The State of Texas v. Seymour Sandin. Continued for Service
1280 The State of Texas v. Sandin & Hegall. Continued for Service
1281 The State of Texas v. Henry & Wells. Continued for Service and Capias ordered to Bexar for Henry.
1282 The State of Texas v. Henry & Wells. Continued for Service and Capias ordered to Bexar for Henry.
1283 The State of Texas v. Henry & Wells. Continued for Service and Capias ordered to Bexar for Henry.
1289 The State of Texas v. Thomas M. Evans. Continued for Service
1290 The State of Texas v. Green Duffield Continued for Service and Capias ordered to Harris and Galveston.
1291 The State of Texas v. Green Duffield Continued for Service and Capias ordered to Harris and Galveston.
1292 The State of Texas v. Jack Robertson. Continued for Service and Capias ordered to Bexar County.
1317 The State of Texas v. D. W. Esmond Continued for Service.
1298 The State of Texas v. M. Flores Continued for Service.
1323 The State of Texas v. W. B. Covington. Attachment awarded to Williamson County for the witness Ben. Hines, on behalf of the State, and Continued
1264 The State of Texas v. W. B. Covington. Continuance set aside and the prosecution dismissed.
1284 The State of Texas v. Kate Howard. Prosecution dismissed on motion of the Dist. Atty.

1323 The State of Texas & W. B. Covington } Plaintiff & Defendant } And now on this day came the State by the District Attorney Thomas C. Reed, Esq, and the Defendant appeared by his attorney, The. Anderson, Esq. And thereupon the parties announced themselves ready for trial. And the defendant pleads guilty to the Indictment. Whereupon Came a jury of twelve good and lawful men of Travis County consisting of J. Miner and eleven others, who being duly tried, elected empannelled and sworn as the law prescribes, heard said plea of guilty and the charge of the Court. And thereupon the jury returned into Court the following verdict, to wit: "We, the jury, find the defendant guilty, and assess a fine of ten Dollars. J. Miner, Foreman." Whereupon, It is ordered and adjudged by the Court that the State of Texas do have and recover of and from the said defendant W. B. Covington, the sum of ten dollars, so assessed by the jury, together with the cost of the prosecution and that a capias issue to enforce the collection of the same.

1320 The State of Texas & Philip Golden } Plaintiff & Defendant } And now on this day came R. T. Brunnigg, Esq. appointed by the Court to represent the State in this case, and also came the defendant by attorney, and the parties announced themselves ready for trial. And the exceptions of the defendant to the Indictment coming on to be heard, the same are overruled. And then came a jury of good and lawful men, consisting of J. Miner and eleven others who were tried, elected, empannelled and sworn as the Law prescribes. And the defendant plead not guilty. And the jury having heard the evidence returned the following verdict, to wit: "We, the jury, find Philip Golden the defendant not guilty. J. Miner, foreman." Whereupon It is ordered by the Court that the said defendant, Philip Golden, go hence, without day, fully acquitted and discharged.

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1324. The State of Texas vs. Thomas P. Ochiltree — Plaintiff, Defendant

And now on this day came Thomas C. Sneed, Esq. on behalf of the State, and also came the Defendant Ochiltree by his attorney, R. T. Bonnings, Esq. and the parties announced themselves ready for trial. Whereupon came a jury of twelve good and lawful men of Travis county, consisting of J. Kirk and eleven others, who were tried, elected, empannelled and sworn according to law. And the jury having heard the plea of guilty and the charge of the Court, returned the following verdict, to wit: "We, the jury, assess the fine at ten dollars against the defendant Ochiltree. C. Kirk, foreman." Whereupon, It is ordered by the Court that the State of Texas do have and recover of and from the defendant, Thomas P. Ochiltree, the said sum of ten dollars together with the cost of the prosecution, and that a capias issue to enforce the collection of the same.

1324 The State of Texas vs. Ben. Hines — Plaintiff, Defendant

And now on this day came Thomas C. Sneed, Esq. District Attorney, on behalf of the State, and also came the defendant, Ben. Hines, by his attorney, E. B. Turner, Esq. And the parties announced themselves ready for trial. And thereupon came a jury of twelve good and lawful men of Travis county, consisting of C. Kirk, foreman and eleven others, who were tried, elected, empannelled and sworn according to law. And the jury having heard the defendants' plea of guilty and the Charge of the Court, returned the following verdict, to wit: "We, the jury, assess the fine of Defendt Hines at ten dollars. C. Kirk, Foreman." Whereupon, It is ordered, and adjudged by the Court that the State of Texas do have and recover of and from the defendant Ben. Hines, the said sum of Ten Dollars and the cost of the prosecution, and that a capias issue to enforce the collection of the same.

1325 The State of Texas vs. Wm. B. Covington — Plaintiff, Defendant

And now on this day came Thomas C. Sneed, Esq. District attorney, on behalf of the State and also came the defendant Covington by his attorney, Ike. Anderson, Esq. and the parties announced themselves ready for trial. Then came a jury of twelve good and lawful men of Travis county, consisting of C. Kirk, foreman, and eleven others, who were tried, elected, empannelled and sworn as the law presribes. And the jury having heard the defendants plea of guilty and the charge of the Court, returned the following verdict, to wit: "We the jury, assess the fine of defendt at ten dollars ($10.00). C. Kirk, foreman." Whereupon, It is ordered and adjudged by the Court, that the State of Texas do have and recover of and from the said Wm. B. Covington the said sum of ten dollars and the cost of the prosecution, and that a capias issue to enforce the collection of the same.

1329 The State of Texas vs. Antonio Manchaca — Plaintiff, Defendant

And now at this day came Thos. C. Sneed Esq. Dist. attorney, on behalf of the State, and also came the dfdt. by his attorney, Ike. Anderson, Esq. And the parties thereupon announced themselves ready for trial. Then came a jury of good and lawful men of Travis County, consisting of J. Miner and eleven others, who were tried, elected, empannelled and sworn according to law. And the jury having heard the defendants plea of guilty and the Charge of the Court, returned the following verdict, to wit: "We, the jury, assess the fine against the defendt Manchaca of ten dollars. J. Miner, foreman." Whereupon It is ordered by the Court that the State of Texas do have and recover of and from the said Antonio Manchaca the said sum of ten dollars and the cost of the prosecution, and that a capias issue to enforce the collection of the same.

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1331

The State of Texas vs Antonio Manchaca — Plaintiff, Defendant

And now at this day came Thos. E. Sneed, Esq., District Attorney, on behalf of the State, and also came the Defendant, by his attorney, Wm. Anderson, Esq. And thereupon the parties announced themselves ready for trial. Whereupon came a jury of twelve good and lawful men of Travis County, to wit: J. Miner & eleven others, who were tried, elected, empannelled and sworn according to law. And the jury having heard the defendants plea of guilty and the charge of the Court, returned the following verdict, to wit: "We, the jury, assess the fine against the defendant Ant. Manchaca, of ten dollars. J. Miner, foreman." Whereupon, It is ordered and adjudged by the Court that the State of Texas do have and recover of and from the said A. Manchaca the said sum of Ten Dollars and the cost of the prosecution, and that a capias issue to enforce the collection of the same.

1332.

The State of Texas vs Ben. Kmies, et al — Plaintiff, Defendant

And now on this day came Thomas E. Sneed, Esq. District Attorney, on behalf of the State, and also came the defendant, Ben. Kmies, by his attorney, E. B. Turner, Esq. And thereupon the parties announced themselves ready for trial. Whereupon came a jury of good and lawful men of Travis County, consisting of E. Kirk, foreman, and eleven others, who were tried, elected, empannelled and sworn as the law prescribes. And the jury having heard the plea of guilty and the Charge of the Court returned the following verdict, to wit: "We, the jury, assess the fine of the defendant Kmies at ten dollars. E. Kirk, foreman." Whereupon, It is ordered by the Court that the State of Texas do have and recover of and from the said defendant, Ben. Kmies, the said sum of ten dollars, and the cost of the prosecution, and that a capias issue to enforce the collection of the same.

1332

The State of Texas vs Thos. P. Ochiltree, et al. — Plaintiff, Defendant

And now on this day came Thomas E. Sneed, Esq., District Attorney, on behalf of the State, and also came the defendant Ochiltree, by his attorney, A. T. Bronrigg, Esq., And thereupon the parties announced themselves ready for trial. Whereupon came a jury of twelve good and lawful men of Travis County, consisting of J. Miner, foreman, and eleven others, who were tried, elected, empannelled and sworn as the law prescribes. And the jury having heard the defendants plea of guilty and the Charge of the Court returned the following verdict, to wit: "We, the jury, assess the fine against Thos. P. Ochiltree, the defendant, ten dollars. J. Miner, Foreman." Whereupon, It is ordered by the Court that the State of Texas do have and recover of and from the defendant, Thomas P. Ochiltree, the said sum of Ten Dollars and the cost of the prosecution, and that a capias issue to enforce the collection of the same.

1333.

The State of Texas vs Ben. Kmies, et al. — Plaintiff, Defendants

And now at this day came the District Attorney, Thomas E. Sneed, Esq. on behalf of the State, and also came the defendant Ben. Kmies, by his attorney, E. B. Turner, Esq. And thereupon the parties announced themselves ready for trial. Then came a jury of twelve good and lawful men of Travis county, consisting of E. Kirk, foreman, and eleven others who were tried, elected, empannelled and sworn according to law. And the jury having heard the defendants plea of guilty and the charge of the Court, returned the following verdict, to wit: "We, the jury, assess the fine of defendt Kmies at ten dollars. E. Kirk, Foreman." Whereupon, It is ordered by the Court that the State of Texas do have and recover of and from the defendant Ben. Kmies the said sum of ten dollars, and the cost of the prosecution, and that a capias issue to enforce the collection of the same. And it is further ordered that the prosecution be dismissed as to the defendant Thomas P. Ochiltree, and that he go hence fully discharged from the same, and that the cause be continued as to the defendant R. H. Crosby.

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1324 The State of Texas vs R. O. Woodfack. On motion, It is ordered that this prosecution be dismissed.

1336. The State of Texas vs James W. Henderson — Plaintiff / Defendant — And now on this day came Thomas E. Sneed, Esq District attorney, on behalf of the State, and also came the defendant Henderson, by his attorney, John A. Green, Esq. And thereupon the parties announced themselves ready for trial. Thereupon came a jury of twelve good and lawful men of Travis County, consisting of J. Miner and eleven others, who were tried, elected, empannelled and sworn according to law. And the jury having heard the defendant's plea of guilty and the charge of the Court, returned the following verdict, to wit: "We, the jury, assess a fine of ten dollars against Jas. W. Henderson the defendant. J. Miner, foreman." Whereupon, It is ordered, adjudged and decreed by the Court that the State of Texas do have and recover of and from the defendant James W. Henderson, the said sum of ten dollars and the cost of the prosecution, and that a capias issue to enforce the collection of the same.

1338. The State of Texas vs James W. Henderson, et al — Plaintiff / Defendants — And now at this day came Thomas E. Sneed, Esq District attorney, and also came the defendant Henderson by his attorney, John A. Green, Esq. And the parties thereupon announced themselves ready for trial. And then came a jury of twelve good and lawful men of Travis County, to wit: E. Kirk, foreman, and eleven others, who were tried, elected, empannelled and sworn as the law presents. And the jury having heard the defendants' plea of guilty and the charge of the Court, returned the following verdict, to wit: "We, the jury, assess the fine at ten dollars each against J. Henderson & B. Hines. E. Kirk, foreman." Whereupon, It is ordered by the Court that the State of Texas do have and recover of and from the defendant James W. Henderson the said sum of ten dollars and the cost of the prosecution, and that a capias issue to enforce the collection of the same.

1338. The State of Texas vs Ben. Hines, et al. — Plaintiff / Defendants — And now at this day came Thomas E. Sneed Esq District attorney, on behalf of the State, and also came the defendant Ben. Hines, by his attorney, E. B. Turner, Esq. and the parties thereupon announced themselves ready for trial. Then came a jury of twelve good and lawful men of Travis County, consisting of E. Kirk, foreman and eleven others, who were tried, elected, empannelled and sworn as the law presents. And the jury having heard the defendants plea of guilty and the charge of the Court, returned the following verdict, to wit: "We, the jury, assess the fine at ten dollars each against J. Henderson & B. Hines, E. Kirk, Foreman." Whereupon, It is ordered by the Court that the State of Texas do have and recover of and from the defendant Ben. Hines, the said sum of ten dollars and the cost of the prosecution, and that a capias issue to enforce the collection of the same.

1339. The State of Frank Catlin. Continued for service, and capias ordered to Harris county.
1340 The State of Frank Catlin. Continued for service and capias ordered to Harris County.
1341 The State of Frank Catlin. Continued for service and capias ordered to Harris County.
1342 The State of Frank Catlin. Continued for service and capias ordered to Harris county.
1343 The State of Frank Catlin. Continued for service and capias ordered to Harris county.
1344 The State of Frank Catlin. Continued for service and capias ordered to Harris county.
1346 The State of James Armstrong, et al. Ordered that this cause be continued generally.
1347 The State of Irving Root, et al. Capias ordered to Grayson county for the defendant Root.

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1347. The State of Texas vs James W. Henderson — Plaintiff / Defendant — And now at this day came Thomas C. Sneed, Esq. District attorney, on behalf of the State, and also came the deft. Henderson by his attorney, John A. Green, Esq. And the parties thereupon announced themselves ready for trial. Then came a jury of twelve good and lawful men of Travis County, Consisting of J. Miner, foreman, and eleven others, who were tried, elected, empannelled and sworn as the law directs. And the jury having heard the defendant's plea of guilty and the Charge of the Court, returned the following verdict, to wit: "We, the jury, assess a fine of ten dollars against the defendant Jas. W. Henderson J. Miner, foreman." Whereupon, It is ordered by the Court that the State of Texas do have and recover of and from the defendant James W. Henderson the said sum of ten dollars and the cost of the prosecution, and that a capias issue to enforce the collection of the same.

1348 The State v. Irving Root. Continued for service and capias ordered to Grayson County.
1351. The State v. Peter Kenn. Continued for service and capias to Walker county.
1353. The State v. Shipley. Continued
1354 The State v. Shipley. Continued for service and capias ordered to Bexar county.
1355 The State v. Shipley. Continued for service and capias ordered to Bexar County.
1356 The State v. Shipley. Continued for service and capias ordered to Bexar county.
1362. The State v. Frank Cotton, et al. This cause continued
1363 The State v. Charles Reid Continued for service

1364 The State of Texas vs Samuel G. Newell — Plaintiff / Defendants — Continued generally, and It is ordered that the attachment applied for by the District attorney for the witness Tom Bowles be refused because it appears that the said witness is now in the actual service of the country's army.

1365 The State v. Amos Hatton. Dismissed as to the defendant Amos and cont. generally as to Cotton.
1366 The State v. Charles Reid. Continued for service and capias to Washington county.
1367 The State v. Charles Reid, Continued for service
1368 The State v. Bill Matthews Continued for service
1369 The State v. Bill Matthews. Continued for service
1371 The State v. Joseph Harrison Continued for service
1372 The State v. Penn Krieg et al. Dismissed as to Amos, and Continued as to other Defendants.
1375. The State v. John D. Perry. Continued by the Defendant for the testimony of J. M. Blackwell.

1377 The State of Texas vs W. B. Covington — Plaintiff / Defendant — And now at this day came Thomas C. Sneed, Esq. District attorney, on behalf of the State, and also came the defendant by his attorney, The. Anderson, Esq. And thereupon the parties announced themselves ready for trial. Then came a jury of twelve good and lawful men of Travis County, Consisting of C. Kirk, foreman, and eleven others, who were tried, elected empannelled and sworn according to law. And the jury having heard the defendant's plea of guilty and the charge of the Court returned the following verdict, to wit: "We the jury, assess the fine at ten dollars. C. Kirk, Foreman." Whereupon, It is ordered, adjudged and decreed by the Court that the State of Texas do have and recover of and from the defendant W. B. Covington, the said sum of Ten Dollars and all the cost of the prosecution, and that a capias issue to enforce the collection of the same.

1379 The State v. Cotton & County. Continued as to defendant Cotton.

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1381 The State v. Thomas J. Randolph. This prosecution dismissed and the defendant discharged.
1382 The State v. Andrew Chamberlain. Continued
1383 The State v. F. M. Drake. Continued for service
1386 The State v. J. D. Malagne. This prosecution dismissed and defendant discharged
1387 The State v. Victorine Montagne Capias ordered to Galveston County, and continued.
1389 The State v. Smith. Continued for service

1391 The State of Texas vs. Ras. Scott — Plaintiff, Defendant. And now at this day came the District Attorney on behalf of the State, and also came the defendant in person and also by attorney, E. L. Roberds, appointed by the Court. And thereupon the parties announced themselves ready for trial. And then came a jury of twelve good and lawful men of Travis County, consisting of J. Miner and eleven others, who were tried, elected, empannelled and sworn as the law prescribes. And the jury having heard the plea of not guilty, the testimony introduced by the parties and the charge of the Court, returned the following verdict to wit: "We, the jury, find the defendant guilty and assess the fine of twenty-five dollars. J. Miner, Foreman." Whereupon It is ordered, adjudged and decreed by the Court that the State of Texas do have and recover of and from the deft. Ras. Scott, the said sum of Twenty-five dollars, and the cost of the prosecution, and that said defendant remain in the custody of the Sheriff until the same are paid

1237 The State v. Sue Thomas. This cause dismissed on motion of the Special Prosecuting Attorney.

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

Friday, June 7th, 1861.

Court convened at 9 o'clock, A. M. pursuant to adjournment. A. W. Terrell, 2d District Judge presiding. Whereupon the following proceedings were had by said Court, to wit:

1392 The State of Texas vs. G. W. Paschal, Jr. — Plaintiff, Defendant. On motion, It is ordered by the Court that this cause be continued to abide the decision of the Supreme Court in the case of The State v. J. Marshall.

1393 The State of Texas vs. Jimins W. Smith — Plaintiff, Defendant. On motion It is ordered by the Court that this cause be continued to abide the decision of the Supreme Court in the case of The State v. John Marshall.

The State v. Graham, et al. Capias ordered to the Counties of Nueces and Starr.

And now on this day came and appeared in open Court the Grand Jury of Travis County, duly elected, tried, empannelled sworn and charged for and during the present term of this Court, and through their foreman, P. W. Nowlin, presented to the Court the following Bills of Indictment, to wit:

1394 The State of Texas vs. Alfred Robinson & Ben. Hines — Plaintiffs, Defendants. playing at a game with cards in a public house.

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1395	The State of Texas vs Alfred Robinson & Ben. Kimes	Plaintiff / Defendants	Playing at a game with cards in a public house
1396	The State of Texas vs Alfred Robinson & Ben Kimes	Plaintiff / Defendants	Playing at a game with cards in a public house
1397	The State of Texas vs Ben. Kimes Alfred Robinson Sam Scales and Antonio Menchaca	Plaintiff / Defendants	Betting at a gaming Bank called Faro.
1398	The State of Texas vs Ben. Kimes, Alfred Robinson Sam. Scales and Antonio Menchaca	Plaintiff / Defendants	Betting at a gaming Bank called Faro.
1399	The State of Texas vs Ben. Kimes, Sam. Scales Alfred Robinson, Terry O'Neal and W. D. Schofield.		Betting at a gaming Bank called Faro.
1400	The State of Texas vs Ben. Kimes, Alfred Robinson and Terry O'Neal.		Playing at a game with cards in a public place.
1401	The State of Texas vs Thomas Bowles, John B. Slaine, Ben. Kimes, Alfred Robinson and Sam. Scales.		Betting at a gaming Bank called Faro.
1402	The State of Texas vs Ben. Kimes, Sam. Scales, Alfred Robinson and Terry O'Neal		Playing at a game with cards in a public house.
1403	The State of Texas vs Sam. Scales, Thomas Bowles and Antonio Manchaca.		Betting at a gaming bank called Monte.
1404	The State of Texas vs Sam. Scales, Thomas Bowles and Antonio Manchaca.		Betting at a Gaming Bank called Monte.
1405	The State of Texas vs Sam. Scales, W. D. Schofield, Thomas Bowles and Antonio Manchaca.		Betting at a gaming Bank called Monte.
1406	The State of Texas vs I. I. W. Cook, Ben Kimes, Sam. Scales and Terry O'Neal		Playing at a game with cards in a public place.
1407	The State of Texas vs Sam. Scales, W. D. Schofield and Antonio Manchaca.		Playing at a game with cards at a public place.

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1408 The State of Sam. Scales, W.D. Schoefild and Antonio Manchaca. Playing at a game with cards in a public place.

1409. The State of Texas vs Sam. Scales, W.D. Schoefild, Antonio Manchaca and Terry O'Neal. Playing at a game with cards in a public place.

1410 The State of Texas vs Fred Tate, Charles Bernard and Foster. Betting at a gaming Bank called Faro.

1411 The State of Texas vs Terry O'Neal. Playing at a game with cards in a public place.

1412 The State of Texas vs Terry O'Neal, Thomas Bowles, Bill Wheelock and James H. Dimon. Playing at a game with cards in a public place and at a public House.

1413 The State of Texas vs Bill Muelock, commonly called Bill Wheelock. Betting at a Gaming Bank called Faro.

1414 The State of Texas vs Wilson Green, W.P. De Normandie, W.L. Chalmers and R. T. Bronnigg. Playing at a game with cards at a public house and in a public place

1415 The State of Texas vs Wilson Green, W.P. De Normandie, W.L. Chalmers and R. T. Bronnigg. Playing at a game with cards at a public house and in a public place

1416 The State of Texas vs W.P. De Normandie, R. T. Bronnigg, W.L. Chalmers and Wilson Green. Playing cards in a public place and at a public house.

1417 The State of Texas vs W.P. de Normandie, R. T. Bronnigg, W.D. Chalmers and Wilson Green. Playing Cards in a public place and at a public house.

1418 The State of Texas vs Charles W. McAnally, Shely Charles and Bill Wheelock. Playing cards in a public House, to wit: in a gaming House.

1419 The State of Texas vs Wilson Green, W.P. De Normandie, Ben. Kimes and Terry O'Neal. Playing at a game with cards called Poker at a public house & place.

1420 The State of Texas vs Wilson Green and W.P. De Normandie. Playing at a game with cards called Poker in a public house & place.

1421 The State of Texas vs Wilson Green and W.P. De Normandie. Playing at a game called Poker with cards, in a public house & place.

1422 The State of Texas vs Wilson Green and W.P. De Normandie. Playing at a game with cards called Poker in a public house and plaa.

1423 The State of Texas vs Wilson Green and J.A. Kerndon. Playing at a game with cards in a public House and at a public place.

1424 The State of Texas vs Terry O'Neal and W.D. Schoefild. Betting at a gaming bank called Faro.

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1425. The State of Texas vs Antonio Manchaca, Terry O'Neal and W.D. Schoefield. Betting at a gaming bank called faro.

1426. The State of Texas vs Antonio Manchaca, Terry O'Neal and W.D. Schoefield. Betting at a gaming bank called faro.

1427 The State of Texas vs Antonio Manchaca. Betting at a Gaming Bank called Monte.

1428 The State of Texas vs Antonio Manchaca. Betting at a gaming Bank called Monte.

1429 The State of Texas vs Martin Sexton. Assault with intent to Kill and Murder one James Harrington.

1430 The State of Texas vs Pedro Valadez. Murder.

1431 The State of Texas vs John D. St. Clair, Charles Hanison and R. H. Crumby. Betting at a gaming Bank called Faro.

19 And thereupon the said Grand Jury duly having suggested to the Court that there was still further business before them, they were ordered to retire upon a discharge of the same.

1925. The State of Texas vs Evans et als. Continued

2069 A. & L. Sherman et al } Plaintiffs } And now on this day came the parties to this
vs } } came by their attorneys, and thereupon the said
William Stiles, et al } Defendants } parties agree and consent that this cause be
dismissed at the cost of the Defendants. Whereupon it is Ordered adjudged and decreed by the Court that this cause be dismissed from the docket, that the parties go hence without day, and that the plaintiffs recover of and from the Defendants, William Stiles and Margaret Stiles the cost of this suit, for which execution may issue.

2120 The State of Texas vs R. H. Crumby, et al } Continued by Consent
2121 The State of Texas vs R. H. Crumby, et al } Continued by consent
2122 The State of Texas vs R. H. Crumby, et al Continued by Consent.
2123 The State of Texas vs R. H. Crumby, et als Continued by Consent.

2144 The State of Texas vs James Harrington et al } Plaintiff } Defendants } It is ordered by the Court at the hearing of the answer of the Defendant in this case, that the fine against him as a Defaulting Juror, and described in the Scire facias in this case, be remitted; that the Defendant go hence without day. Further Ordered that the cost of the proceeding be adjudged against the said defendant for which execution may issue.

2131 The State of Texas vs Lewis W. Henderson, et als. } Plaintiff } Defendants } On motion of the parties by attorney, It is Ordered by the Court that the peremptory against these defendants in this case be set aside; that the cause be dismissed from the docket, and that the Defendants go hence. It is further Ordered by the Court that the said defendant Henderson pay the cost of the proceeding, for which execution may issue.

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✓ 2137	The State of Texas vs. James W. Henderson et als	Plaintiff 3 Defendants	On motion of the parties by attorney It is ordered by the Court that the forfeiture against these Defendants in this case be set aside; that the cause be dismissed from the docket, and that the Defendants go hence. It is further ordered that the dft. Henderson pay the cost of this proceeding, for which execution may issue.
✓ 2138	The State of Texas vs. James W. Henderson et als	Plaintiff 3 Defendants	On motion of the parties by attorney It is ordered by the Court that the forfeiture against these Defendants in this case be set aside; that the cause be dismissed from the docket, and that the Defendants go hence. It is further ordered that the Defendant Henderson pay the cost of this proceeding, for which execution may issue.

And thereupon It is Ordered that Court stand adjourned till 9 o'clock Monday morning 9 o'clock, the 10th June, 1861.

Monday, June 10th, A.D. 1861.

Court convened at 9 o'clock, A. M. pursuant to adjournment. A. W. Terrell, 2d District Judge presiding. Whereupon the following proceedings were had by said Court, as follows to wit:

1937 The State of Texas vs. W.B. Covington, et als. Continued.

✓ 1940	The State of Texas vs. W. B. Covington	Plaintiff 3 Defendant.	And now on this day came Thomas E. Sneed Esq. District Attorney, on behalf of the State, and claims a final judgment by default. And because it appears to the Court that at the June Term 1860 of the Travis District Court, to wit: on the 13th January, 1860; the said Covington was fined fifty dollars as a defaulting witness, and the said Covington having been duly summoned to appear and show cause why the said fine should not be enforced; and it appearing that the said Covington has wholly made default in failing to answer, It is, therefore, ordered, adjudged and decreed by the Court that the said judgment nisi be made final, and that the State of Texas do have and recover of and from the said defendant, W.B. Covington, the said sum of fifty Dollars and all the cost of this proceeding, and that execution issue therefor.

1943 The State of Texas v. Seymid Dunlap. Continued generally
1944 The State of Texas v. Samuel Dunlap. Continued generally
1945 The State of Texas v. W. A. Pruitt. Continued generally
2104 The State of Texas v. O. C. Barnard et al. Continued for service
2105 The State of Texas v. O. C. Barnard et al. Continued for service
2106 The State of Texas v. O. C. Barnard, et als Continued for service.
2107 The State of Texas v. A. Menchaca, et al. Continued.
2108 The State of Texas v. A. Menchaca, et al. Continued.

✓ 2109	The State of Texas vs. Bird Callin, W. A. Brimer, D. H. Barber et al	Plaintiff 3 Defendants	And now at this day came Thomas E. Sneed, Esq. District Attorney, on behalf of the State, and claimed a final judgment by default. And because it appears to the Court, that at the fall term, 1860, judgment nisi was entered against these defendants, on a forfeited appearance bond, dated 10th day of December, 1860, payable to

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the State of Texas in the sum of One hundred Dollars in Cause No. 1249, of the State of Texas v. Bud Cullin, charged with exhibiting a gaming Bank called Monte, for the purpose of gaming; and the said Defendants having been duly cited, by writ of Scire facias, to appear and show cause why the said Judgment should not be made final; and the said Defendants having wholly failed to answer the same; It is, therefore, ordered, adjudged and decreed by the Court, that the said judgment nisi be made final, and that the State of Texas do have and recover of and from the said Defendants, Bud Cullin, alias J. W. Cullin, and the said W. A. Branch and D. K. Barlee, the sum of One Hundred Dollars, the amount of said bond, and that all the Cost of this proceeding, and that execution issue therefor.

2110 The State of Texas } Plaintiff
v.
Bud Cullin
W. A. Branch
D. K. Barlee } Defendants

And now on this day came Thomas E. Sneed, Esq. District Attorney, on behalf of the State, and claimed a final Judgment by default. And because it appears to the Court that at the fall term, 1860, of the Travis District Court, Judgment nisi was entered against these defendants on a forfeited appearance bond, dated 10th day of October, 1860, payable to the State of Texas in the sum of One Hundred Dollars, in Cause No. 1248, of the State of Texas v. Bud. Cullen, charged with exhibiting a gaming Bank called Monte, for the purpose of gaming; and the said defendants having been duly cited, by writ of Scire facias, to appear and show cause why the said Judgment should not be made final; and the said defendants having wholly failed to answer the same, It is, therefore, adjudged and decreed by the Court, that the said judgment nisi be made final and that the State of Texas do have and recover of and from the said defendants, Bud. Cullen, alias J. W. Cullen, and the said W. A. Branch and D. K. Barlee, the said sum of One Hundred dollars, the amount of said bond, together with the cost of this proceeding for which execution may issue.

2111 The State of Texas } Plaintiff
v.
Bud. Cullen
W. A. Branch
D. K. Barlee } Defendants

And now on this day came Thomas E. Sneed, Esq. District Attorney on behalf of the State, and claimed a final Judgment by default. And because it appears to the Court that at the fall term, 1860, of the Travis dist. Court, Judgment nisi was rendered against these defendants on a forfeited appearance bond, dated 10th day of October, 1860, payable to the State of Texas in the sum of One Hundred dollars, in Cause No. 1247, of the State of Texas v. Bud Cullen, charged with exhibiting a gaming Bank called Monte for the purpose of gaming; and the said Defendants having been duly cited, by writ of Scire facias, to appear and show cause why the said Judgment should not be made final; and the said defendants having wholly failed to answer the same, It is, therefore, adjudged and decreed by the Court, that the said judgment nisi be made final, and that the State of Texas do have and recover of and from the said defendants, Bud. Cullen, alias J. W. Cullen, and the said W. A. Branch and D. K. Barlee, the said sum of One Hundred Dollars, the amount of said bond, together with the cost of this proceeding, for which execution may issue.

2112 The State of Texas } Plaintiff
v.
Bud. Cullen
W. A. Branch
D. K. Barlee } Defendants

And now on this day comes Thomas E. Sneed, Esq. District Attorney, on behalf of the State, and claimed a final judgment by default. And because it appears to the Court, that at the fall term, 1860, of the Travis dist. Court, Judgment nisi was rendered against these defendants on a forfeited appearance bond dated 10th day of October, 1860, payable to the State of

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Texas in the sum of One Hundred Dollars, in Cause No. 1246, of the State of Texas v. Bud. Cotton, charged with exhibiting a gaming bank called Monte, for the purpose of gaming; and the said defendants being duly cited, by writ of scire facias, to appear and show cause why the said Judgment should not be made final; and the said defendants having wholly failed to answer the same, It is, therefore, ordered, adjudged and decreed by the Court, that the said judgment nisi be made final, and that the State of Texas do have and recover of and from the said Defendants, Bud. Cotton, alias J. W. Cotton, and the said W. A. Branch and the said D. K. Barker, the said sum of One Hundred dollars, the amount of said bond, together with the cost of this proceeding for which execution may issue.

↓ 2113

The State of Texas vs Bud Cotton W.A. Branch D.K. Barker — Plaintiff / Defendants

And now at this day came Thomas E. Snead, Esq District attorney, on behalf of the State, and claimed a final judgment by default. And because it appears to the Court, that at the fall term, 1860, of the Travis district Court, judgment nisi was rendered against these defendants on a forfeited appearance bond, dated 10th day of October, 1860, payable to the State of Texas in the sum of One Hundred Dollars, in Cause No. 1245, of The State of Texas v. Bud Cotton, charged with Exhibiting a gaming Bank called Monte for the purpose of gaming; and the said defendants having been duly cited, by writ of scire facias, to appear and show cause why the said judgment should not be made final; and the said defendants having wholly failed to answer the same, It is, therefore, ordered, adjudged and decreed by the Court, that the said judgment nisi be made final, and that the State of Texas do have and recover of and from the said defendants, Bud Cotton, alias J. W. Cotton, and the said W.A. Branch and the said D.K. Barker, the said sum of One Hundred Dollars, the amount of said bond, together with the cost of this proceeding, for which execution may issue.

↓ 2114

The State of Texas vs Bud Cotton W A Branch D. K. Barker — Plaintiff / Defendants

And now at this day came Thomas E. Snead, Esq District Attorney, on behalf of the State and claimed a final judgment by default. And because it appears to the Court, that at the fall term, 1860, of the Travis district Court, judgment nisi was rendered against these defendants on a forfeited appearance bond, dated 10th day of October, 1860, payable to the State of Texas in the sum of One Hundred Dollars in Cause No. 1244 of The State of Texas v. Bud Cotton, charged with Exhibiting a gaming Bank called Monte for the purpose of gaming; and the said defendants having been duly cited, by writ of scire facias, to appear and show cause why the said judgment should not be made final; and the said defendants having wholly failed to answer the same, It is, therefore, ordered, adjudged and decreed by the Court, that the said judgment nisi be made final and that the State of Texas do have and recover of and from the said defendants Bud. Cotton, alias J. W. Cotton, and the said W. A. Branch and the said D. K. Barker, the said sum of One Hundred Dollars, the amount of said bond, together with the cost of this proceeding, for which execution may issue.

↓ 2115

The State of Texas vs Frank Cotton + H. L. Cotton — Plaintiff / Defendants

And now at this day came Thomas E. Snead, Esq. District attorney, on behalf of the State, and claimed a final judgment by default. And because it appears to the Court, that at

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the fall term, 1860, of the Travis district Court, judgment nisi was rendered against these defendants on a forfeited appearance bond, dated 5th day of October, 1860, payable to the State of Texas in the sum of One Hundred Dollars, in Cause No. 1365, of The State of Texas v. Frank Catlin, charged with Betting at a gaming Bank called Monte; and the said defendants having been duly cited by writ of Scire facias, to appear and show cause why the said judgment should not be made final. And the said defendants having wholly failed to answer the same, It is, therefore, ordered, adjudged and decreed by the Court that the said judgment nisi be made final, and that the State of Texas do have and recover of and from the said defendants, Frank Catlin, by the name of B. F. Catlin, and the said H. L. Catlin the said sum of One Hundred Dollars and the cost of this prosecution, and that execution issue therefor.

2116	The State of Texas v. W. B. Carrington et al.	Continued Generally	
2117	The State of Texas v. W. B. Carrington et al	Continued	
2118	The State of Texas v. W. B. Carrington et al	Continued	
2119	The State of Texas v. W. B. Carrington et al	Continued	
2127	The State of Texas v Geo Ochiltree et al	Continued	
2128	The State of Texas v. Geo Ochiltree et al	Continued	
2129	The State of Texas v Geo Ochiltree et al	Continued	
2130	The State of Texas v. Ben Ikins et al	Continued	
2131	The State of Texas v. Ben Ikins et al	Continued	
2132	The State of Texas v. Ben Ikins et al	Continued	
2133	The State of Texas v. Ben Ikins et al	Continued	
2134	The State of Texas v. Ben Ikins et al	Continued	
2135	The State of Texas v. Ben Ikins et al	Continued	
2139	The State of Texas v. Irving Root, et al	Continued generally	
2140	The State of Texas v. Irving Root, et al	Continued generally	
2141	The State of Texas v. R. P. Campbell et al	Continued generally	

2142

The State of Texas } Plaintiff } And now comes Thomas C. Reed, Esq. Dis't Attorney
v. } and claims a final judgment by default. And
Robert Thompson } it appearing to the Court that, in Cause No. 1218 of
R. J. Compender } Defendants } The State of Texas v J. R. & A. St. Clair, on the 9th day
of December, 1859, the said Thompson as principal, and the said R. J. Compender,
as security executed an appearance bond, as a writers, on behalf of the plaintiff in
said cause, payable unto The State of Texas in the sum of Five Hundred Dollars;
and it further appearing that on the 18th. day of December, 1860, said appearance
bond (executed under writ of attachment issued in said action) was forfeited, as
appears from the record, by reason of the failure of the said Thompson to appear and
testify in said Cause; and judgment nisi was ordered thereon, against said de-
endants, for the sum of Five Hundred Dollars, the amount of said bond; and
it further appearing that the said R. J. Compender has been cited, by writ of
Scire facias, to appear, and show cause why the said judgment nisi should
not be made final, which he has wholly failed to do (the cap. not being required as
to the said principal.) It is therefore, ordered, adjudged and decreed by the
Court, that the said judgment nisi be made final, and that the State of
Texas do have and recover of and from the said defendants, Robert Thompson
as principal, and of the said R. J. Compender, as security, the said sum of Five
Hundred dollars and the cost of this proceeding, and that execution issue therefor

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2143 The State v. H. Anderson. Ordered, that Alias process issue for the defendant directed to the Coroner of Travis County.
2145 The State v. D. D. Bonner. Continued.

2102	The State of Texas vs. Jack Robertson, J. W. Robertson, Joseph Lee	Plaintiff, Defendants	And now at this day came the parties by attorney, and upon a hearing of the evidence submitted in the case, and an inspection of the answer of the Defendants It is Ordered by the Court that the proceedings in this case be set aside, vacated and held for naught; that the cause be dismissed from the docket; that the defendants be discharged from the said proceedings. It is further adjudged that said defendants Jack Robertson, Joseph W. Robertson and Joseph Lee pay the cost of this proceeding for which execution may issue.
2103	The State of Texas vs. Jack Robertson, J. W. Robertson, C. A. Hopkins	Plaintiff, Defendants	And now at this day came the parties by attorney, and upon a hearing of the evidence submitted in the case, and an inspection of the answer of the defendants, It is Ordered by the Court that the proceedings in this case be set aside, vacated and held for naught; that the cause be dismissed from the docket, and that the said Jack Robertson, Joseph W. Robertson and C. A. Hopkins pay the cost of this proceeding, for which execution may issue.
1375	The State of Texas vs. John D. Perry	Plaintiff, Defendant	And now at this day appeared Thomas C. Sneed, Esq. District Attorney, on behalf of the State, and also came the Defendant in person and by atty And thereupon the parties announced themselves ready for trial. And then came a jury of twelve good and lawful men of Travis County, consisting of C. Kirk, foreman, and eleven others, who were tried, elected, empannelled and sworn as the law directs. And the jury having heard the plea of not guilty, the evidence, argument of counsel and the charge of the Court returned the following verdict, to wit: "We, the jury, find the Defendant not guilty. C. Kirk, foreman." Whereupon, It is ordered, adjudged and decreed by the Court that the said cause be dismissed, and that the defendant go hence, without day, fully acquitted and discharged.
1390	The State of Texas vs. Ras Scott	Plaintiff, Defendant	It is Ordered that the motion to quash the Indictment in this cause be sustained, and the Defendant be discharged
1394	The State of Texas v. Alfred Robinson, et al.	Continued for Service.	
1414	The State of Texas v. W. Green et al.	Continued on affidavit of the defendants for witness Ross	
1415	The State of Texas v. W. Green et al.	Continued on affidavit of the defendants for witness Ross	
1416	The State of Texas v. W. Green et al.	Continued on affidavit of the defendants for witness Ross	
1417	The State of Texas v. W. P. De Normandie et al.	Continued on affidavit of defts. for witness Ross.	
1418	The State of Texas v. C. W. McAnally, et al.	Continued for Service	
1419	The State of Texas v. W. Green, et al.	Dismissed as to the defendant De Normandie	

And now on this day appeared in open Court the Grand Jury of Travis county duly elected, tried, empannelled, sworn and charged for and during the present term of the District Court of Travis county, and through their foreman P. W. Hardin, presented to the Court the following Bills of Indictment, to wit:

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1432 The State of Texas v. Edmund Curley. Assault with intent to Kill and Murder

1433 The State of Texas v. G. B. Simpleman. Forgery.

1434 The State of Texas v. Frank V. Richter Duke Empire in mut.

1435 The State of Texas v. Ras. Scott. Aggravated Assault and Battery.

1436 The State of Texas v. John H. Conner. An Assault with Intent to Kill and murder.

1437 The State of Texas v. John H. Conner Murder.

1438 The State of Texas v. John H. Conner. An assault with Intent to Kill and murder.

1439 The State of Texas v. Wilson Green. Playing at a game with cards called Cribbage at a public House.

1440 The State of Texas v. Wilson Green, W. P. de Normandie and The. J. Anderson. Playing at a game with cards in a public House and at a public place called "Boston"

1441 The State of Texas v. Wilson Green, W. P. de Normandie and The. J. Anderson. Playing at a game with cards called "Boston" in a public house and at a public place

1442 The State of Texas v. Wilson Green, W. P. de Normandie and The. J. Anderson Playing at a game with Cards called "Boston" in a public house and at a public place

1443 The State of Texas v. Wilson Green. Playing at a game with cards called Cribbage at a public house and at a public place

1444 The State of Texas v. Wilson Green W. P. de Normandie and The. J. Anderson. Playing at a game with cards called Boston in a public house and at a public place.

1445 The State of Texas v. William Robins, Alfred Robinson & Ben Knies & Box playing at a game with cards in a public house, viz: a gaming house.

1446 The State of Texas v. Kenny . Exhibiting Monte.

1447 The State of Texas v. Smart. Playing at a game with cards in a public place

1448 The State of Texas v. John C. Campbell Carrying away timber from Land not his own.

1449 The State of Texas v. Alfred Robinson, Ben. Knies, Tony O'Neal & Box. Playing at a game with cards in a public house and in a public place

1450 The State of Texas v. Alfred Robinson, Ben. Knies, Tony O'Neal & Box Playing at a game with cards in a public place and at a public House.

1451 The State of Texas v. Alfred Robinson, Ben. Knies, Tony O'Neal and Box. Playing at a game with cards at a public place and in a public place

1452 The State of Texas v. Box and Jones. Exhibiting a Gaming Bank called Faro.

1453 The State of Texas v. Box and Jones. Exhibiting a Gaming Bank called Faro

1454 The State of Texas v. Box and Jones. Exhibiting a Gaming Bank called Faro.

1455 The State of Texas v. Box and Jones. Exhibiting a Gaming Bank called Faro

1456 The State of Texas v. Box and Jones Exhibiting a Gaming Bank called Faro.

1457 The State of Texas v. Box and Jones Exhibiting a Gaming Bank called Faro

1458 The State of Texas v. Jones and Box Exhibiting a Gaming Bank called Monte.

1459 The State of Texas v. Box and Jones Exhibiting a Gaming Bank called Monte

1460 The State of Texas v. Box and Jones Exhibiting a Gaming Bank called Monte.

1461 The State of Texas v. Box and Jones Exhibiting a Gaming Bank called Faro

1462 The State of Texas v. Box Betting at a gaming Bank called Faro

1463 The State of Texas v. Box Betting at a gaming Bank called Faro

1464 The State of Texas v. Tony O'Neal & Box. Playing at a game with cards in a public house

1465 The State of Texas v. Tony O'Neal & Box. Playing at a game with cards in a public house

1466 The State of Texas v. Tony O'Neal & Box. Playing at a game with cards in a public house

1467 The State of Texas v. Tony O'Neal & Box. Playing at a game with cards in a public place called "Cribbage" to wit: a gaming house.

And said Grand Jury having suggested that there was no further business before them, they were discharged from further action and attendance

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

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Tuesday, 11th June 1861.

Court convened at 9 o'clock A. M. pursuant to adjournment. A. W. Terrell, 2d District Judge presiding. Whereupon the following proceedings were had by said Court, to wit:

1429 The State of Texas } Plaintiff } And now on this day came Thomas C. Sneed, Esq. District Attorney, on behalf of the State, and also came the defendant Martin Sexton in person and also by attorney; and thereupon the parties respectively announced themselves ready for trial. And the defendant being called upon to plead, enters the plea of not guilty. And there came a jury of twelve good and lawful men of Travis County, consisting of C. Kirk, Foreman, Joseph Warren, S. R. Sims, Jas. Miner, Eugene Bemond, Israel Perkins, A. Henricks, C. Spalding, O. D. Walker, A. Palm, M. W. Simmons and James Young who were duly tried, elected, empannelled and sworn according to law. And the jury having heard the evidence introduced by the parties, the argument of counsel and the charge of the Court, retired to consider of their Verdict. Whereupon the said jury returned into Court the following verdict, to wit: "We, the jury, find the Defendant guilty of an aggravated assault, and assess his punishment at a fine of One hundred dollars, and imprisonment at three months in the county jail. C. Kirk, Foreman."

Martin Sexton } Defendant } the defendant Martin Sexton in person and also by attorney; and thereupon the parties respectively announced themselves ready for trial. And the defendant being called upon to plead, enters the plea of not guilty. And there came a jury of twelve good and lawful men of Travis County, consisting of C. Kirk, Foreman, Joseph Warren, S. R. Sims, Jas. Miner, Eugene Bemond, Israel Perkins, A. Henricks, C. Spalding, O. D. Walker, A. Palm, M. W. Simmons and James Young who were duly tried, elected, empannelled and sworn according to law. And the jury having heard the evidence introduced by the parties, the argument of counsel and the charge of the Court, retired to consider of their Verdict. Whereupon the said jury returned into Court the following verdict, to wit: "We, the jury, find the Defendant guilty of an aggravated assault, and assess his punishment at a fine of One hundred dollars, and imprisonment at three months in the county jail. C. Kirk, Foreman."

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

Wednesday, 12th June, 1861.

Court convened at 9 o'clock A. M. pursuant to adjournment. A. W. Terrell 2d District Judge presiding. Whereupon the following proceedings were had by said Court, as follows, to wit:

2044 Canall, Hemick & Mead v. Adams & Godwick. Motion Continued
2045 W. L. McDonald v. Adams & Godwick Motion Continued
2063 Reid & Tracy v. Adams & Godwick Motion Continued

1949 M. McDonald v. H. W. Terry, et al. And now at this day came the counsel for the Defendants and submitted the motion to change the venue of said cause because of the disqualification of the presiding Judge to try the same. And the said motion being considered, It is Ordered by the Court, that because of such disqualification that the venue of said cause be changed to the county of Williamson, and that the Clerk of this Court do transmit, on or before the first day of the next term of the District Court of said County, to the Clerk of said Court, all the Original papers in this cause, together with a certified copy of the entries and of the bill of cost.

2194 D. W. Terrell v. H. J. Hamilton. And now at this day came the counsel for the plaintiff and submitted the motion to change the venue of said cause because of the disqualification of the presiding Judge to try the same. And the said motion being considered, It is Ordered by the Court that because of such disqualification that the venue of said cause be changed to the County of Williamson, and that the Clerk of this Court do transmit, on or before the first day of the next term of the District Court of said County, to the Clerk of said Court, all the Original papers in this cause together with a certified copy of the entries and of the bill of cost so that such proceedings thereon may be had as to justice and equity may appertain.

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1131 The State of Texas } Plaintiff
of
W. R. Prag } Defendant

This cause being called for trial the Defendant W. R. Prag failing to appear and answer to the indictment in this case, he and his securities M. V. Mann, P. W. Clemens and A. M. Sanford being distinctly called at the door of the Courthouse of Travis County, after a reasonable length of time, still failed to appear. And it appearing to the Court that the Defendant W. R. Prag with the said M. V. Mann, P. W. Clemens and A. M. Sanford as his securities, did execute the Bail Bond on file in this Case substantially as follows: Dated 6th day of May, 1861, payable unto The State of Texas in the sum of Two Thousand and Fifty Dollars, conditioned that the said Defendant W. R. Prag make his personal appearance at the District Court of said County of Travis on the ninth Monday after the first Monday in April, 1861, to answer the Indictment preferred against the said Defendant, W. R. Prag, by the Grand Jurors of Travis County, at the Spring Term, A.D. 1858, for Betting at a gaming Bank called Monte, and there remain from day to day and term to term of said Court, and that he do not depart thence without leave of said Court, which said Bond is forfeited. And it is Considered by the Court that the State of Texas do have and recover of the said W. R. Prag the said sum of Two Hundred and fifty Dollars, and of his said securities the sum of Two Hundred and fifty Dollars, and that this Judgment will be made final unless good cause be shown at the next term of this Court why the said Defendant W. R. Prag did not appear. And further Ordered that Citations do issue to the said securities.

1268 The State of Texas } Plaintiff
of
R. H. Cumby } Defendant

This cause being called for trial the Defendant R. H. Cumby failing to appear and answer to the Indictment in this case, he and his securities B. F. Durham and Jno. D. Mof being distinctly called at the door of the Court House of Travis County, and the defendant, after a reasonable length of time still failed to appear. And it appearing to the Court that the Defendant R. H. Cumby, with the said B. F. Durham and Jno. D. Mof as his securities did execute the Bail Bond on file in this case substantially as follows. Dated 29th day of April, 1861, payable unto The State of Texas in the sum of One Hundred Dollars, conditioned that the said Defendant R. H. Cumby make his personal appearance at the District Court of said County of Travis on the ninth Monday after the first Monday in April, 1861, to answer the Indictment preferred against the said Defendant R. H. Cumby, by the Grand Jurors of Travis County, at the Fall Term A.D. 1859, for Betting at a gaming Bank called Faro, and there remain from day to day and from term to term of said Court, and that he do not depart thence without leave of said Court, which said Bond is forfeited. And it is Considered by the Court that the State of Texas do have and recover of the said R. H. Cumby the said sum of One Hundred Dollars, and of his said securities the sum of One Hundred Dollars, and that this Judgment will be made final unless good cause be shown at the next Term of this Court why the said Defendant R. H. Cumby did not appear. And further Ordered that Citations do issue to the said securities.

1269 The State of Texas } Plaintiff
R. H. Cumby } Defendant

This cause being called for trial the Defendant R. H. Cumby failing to appear and answer to the Indictment in this case he and his securities B. F. Durham and Jno. D. Mof, being distinctly called at the Courthouse door of Travis County, and the Defendant, after a reasonable length of time still failed to appear. And it appearing to the Court that the defendant R. H. Cumby, with the said B. F. Durham and Jno. D. Mof as his securities did execute the Bail Bond on file in this case, substantially as follows: Dated 29th

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day of April, 1861. Pay able unto The State of Texas in the sum of One Hundred Dollars, conditioned that the said Defendant R. H. Cumby make his personal appearance at the District Court of said County of Travis on the ninth Monday after the first Monday in April, 1861, to answer the Indictment preferred against the said Defendant, R. H. Cumby, by the grand jurors of Travis County, at the fall term, A.D. 1859, 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 hence without leave of said Court, which said bond is forfeited. And it is considered by the Court that the State of Texas do have and recover of the said R. H. Cumby the said sum of One Hundred Dollars and of his Securities the sum of One Hundred Dollars and that this Judgment will be made final unless good cause be shown at the next Term of this Court why the said Defendant R. H. Cumby did not appear. And further Ordered, that citations do issue to the said Securities.

1324 The State of Texas vs Aspe Robinson — Plaintiff / Defendant

This cause being called for trial the Defendant Aspe Robinson, failing to appear and answer to the Indictment in this case, he and his security John Burlage, being distinctly called at the door of the Court House of Travis County, and the defendant, after a reasonable length of time, failed to appear. And it appearing to the Court that the Defendant Aspe Robinson, with the said John Burlage, as his security, did execute the Bail Bond on file in this case substantially as follows: Dated 6th day of April, A.D. 1861, payable unto The State of Texas in the sum of One Hundred Dollars, conditioned that the said Defendant Aspe Robinson make his personal appearance at the District Court of said County of Travis, on the ninth Monday after the first Monday in April, 1861, to answer the Indictment preferred against the said Defendant, R. H. Cumby Aspe Robinson, by the Grand Jurors of Travis county, at the Spring Term, A.D. 1860, for Betting at a certain gaming bank called Faro and there remain from day to day and from term to term of said Court, and that he do not depart thence without leave of said Court, which said Bond is forfeited. And it is considered by the Court that the State of Texas do have and recover of the said Aspe Robinson the said sum of One Hundred Dollars, and of his said securities the said sum of One Hundred Dollars, and that this Judgment will be made final unless good cause be shown at the next Term of this Court why the said Defendant Aspe Robinson did not appear. And further Ordered that Citations do issue to the said Securities.

1320 The State of Texas vs Terry O'Neal — Plaintiff / Defendant

And now at this day came the District Atty on behalf of the State and also came the Defendant in person and announced themselves ready for trial. And then came a jury of 12 good and lawful men of Travis County, consisting of S. R. Bellingsley, Foreman and eleven others, who were duly tried, elected, empannelled and sworn. And the Jury having heard the Defendants plea of guilty and the charge of the Court, returned the following verdict, to wit: "We, the jury, assess the fine against Deft. O'Neal at $10"" S. R. Bellingsley, For." Whereupon it is Ordered by the Court that the State of Texas do have and recover of and from the Defendant Terry O'Neal the said sum of Ten Dollars and all the cost of this prosecution, and that he remain in the custody of the Sheriff until the same are paid.

1328 The State of Texas vs Terry O'Neal. And now at this day came the District Attorney on behalf of the State and also came the Defendant in person, and the parties announced themselves ready for trial. And then came a jury of twelve good and lawful men of Travis County, consisting of S. R. Bellingsley, Foreman, and eleven others, who were

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duly tried elected empannelled and sworn. And the jury having heard the plea of guilty and the Charge of the Court, returned the following verdict, to wit: "We the jury, assess the fine against the Defendant Jerry O'Neal at ten dollars. J. R. Billingsley, Fm." Whereupon, It is Ordered by the Court that the State of Texas do have and recover of the said deft. Jerry O'Neal the said sum of Ten Dollars and the cost of the prosecution and that he remain in the custody of the Sheriff until the same are paid.

1330 The State of Texas v. Jerry O'Neal. And now at this day came the District Atty. on behalf of the State, and also came the defendant in person. And the parties announced ready for trial. And then came a jury of twelve good and lawful men of Travis County consisting of J. R. Billingsley, Foreman, and seven others who were tried, elected, empannelled and sworn. And the jury having heard the plea of guilty and the Charge of the Court, returned the following Verdict, to wit: "We, the jury, assess the fine against the Defendant Jerry O'Neal at ten Dollars "J. R. Billingsley, Foreman." Whereupon It is Ordered by the Court that the State of Texas do have and recover of and from the said Defendant Jerry O'Neal the said sum of ten dollars and the cost of the prosecution, and that he remain in the custody of the Sheriff until the same are paid.

1335 The State of Texas vs. Jerry O'Neal. And now on this day came the Distrct Atty. on behalf of the State, and also came the defendant in person and announced themselves ready for trial. And then came a jury of 12 good and lawful men of Travis County consisting of J. R. Billingsley, Foreman and eleven others, who were duly tried, elected, empannelled and sworn. And the jury having heard the plea of guilty and the Charge of the Court returned the following Verdict, to wit: "We, the jury, assess the fine against deft. O'Neal at $25.00 J. R. Billingsley, Fm." Whereupon It is Ordered, adjudged and decreed by the Court that the State of Texas do have and recover of and from the defendant Jerry O'Neal the said sum of Twenty-Five Dollars and the cost of the prosecution, and that the said deft remain in the custody of the Sheriff till the same be paid.

1357 The State of Texas v. Jerry O'Neal. Prosecution dismissed and defts discharged
1358 The State of Texas v. Jerry O'Neal Prosecution dismissed and defts discharged.

1359 The State of Texas vs Jerry O'Neal. And now at this day came the District Attorney on behalf of the State, and also came the defendant in person. And the parties announced themselves ready for trial. And then came a jury of twelve good and lawful men of Travis County, consisting of J. R. Billingsley, Foreman, and eleven others, who were duly tried, elected, empannelled and sworn. And the jury having heard the plea of guilty and the Charge of the Court, returned the following verdict, to wit: "We the jury, assess the fine against deft. O'Neal at $10.00 J. R. Billingsley, Fm." Whereupon, It is Ordered by the Court that the State of Texas do have and recover of and from the said defendant Jerry O'Neal the said sum of ten dollars and the cost of the prosecution, and that he remain in the custody of the Sheriff until the same are paid.

1379 The State of Texas vs. R. H. Crosby. Plaintiff / Defendant. This cause being called for trial the defendant R. H. Crosby, failing to appear and answer to the indictment in this cause, he and his se-

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Unitis B. F. Dunham and Jno. D. Mass being distinctly called at the door of the Courthouse of Travis county and the defendant, after a reasonable length of time failed to appear. And it appearing to the Court that the defendant R. H. Crosby with the said B. F. Dunham and Jno D. Mass, as his securities, did execute the Bail Bond on file in this case, substantially as follows: Dated 29th day of April, 1861, payable unto The State of Texas in the sum of One Hundred Dollars, conditioned that the said Defendant R. H. Crosby make his personal appearance at the District Court of said County of Travis on the ninth Monday after the first Monday in April, 1861, to answer the Indictment pefered against the defendant R. H. Crosby, by the Grand Jurors of Travis county at the Spring term A.D. 1861 for playing at a game with cards in a room attached to a house for retailing spirituous liquors, and Commonly used 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, which said bond is forfeited. And it is considered by the Court that the State of Texas do have and recover of the said R. H. Crosby the said sum of One hundred dollars, and of his said securities the sum of One hundred dollars, and that this judgment will be made final unless good cause be shown at the next term of this Court why the said Defendant R. H. Crosby did not appear. And further Ordered that Citations do issue to the said securities

1395 The State of Texas vs Alfred Robinson & Ben Thies. Continued for term
1396 The State of Texas vs Alfred Robinson & Ben Thies. Continued for term
1397 The State of Texas vs Ben Thies, et als Continued for term
1398 The State of Texas vs. Ben Thies et als Continued for term

1399 The State of Texas v. Jerry O'Neal et als. And now on this day came the District Atty. on behalf of the State, and also came the defd. O'Neal in person, and announced ready for trial. And there came a jury of twelve good and lawful men of Travis County, consisting of J. R. Billingsley, Foreman, and eleven others, who were duly tried, elected, empannelled and sworn. And the jury having heard the plea of guilty and the charge of the Court, returned the following verdict, to wit: "We the jury assess the fine against the defendant O'Neal at ten dollars. J. R. Billingsley, Jr." Whereupon, It is ordered by the Court that the State of Texas do have and recover of and from the said defendant Jerry O'Neal the said sum of ten dollars and the cost of the prosecution, and that he remain in the custody of the Sheriff until the same are paid. And further ordered that the cause be continued for term as to the other defendants.

1400 The State of Texas v Jerry O'neal, et al. And now on this day came the district attorney on behalf of the State, and also came the defendant O'Neal in person. And the parties announced themselves ready for trial. And there came a jury of twelve good and lawful men of Travis County, consisting of J. R. Billingsley, foreman, and eleven others, who were duly tried, elected, empannelled and sworn. And the jury having heard the plea of guilty and the charge of the Court, returned the following verdict, to wit: "We, the jury, assess the fine against the defendant O'Neal at ten dollars. J. R. Billingsley, Jr." Whereupon, It is ordered by the Court that the State of Texas do have and recover of and from the said defendant Jerry O'Neal the said sum of ten dollars and the cost of the prosecution, and that he remain in the custody of the Sheriff until the same are paid; and that the case be continued for term as to the other defts.

District Court Minutes, Spring Term, June 12th 1861.

1401. The State of Texas v. Thomas Bowles, et al. Continued for service on all the defts.

1402. The State of Texas v. Jerry O'Neal, et al. And now on this day came the District Attorney on behalf of the State, and also came the defendant O'Neal in person. And the parties announced themselves ready for trial. And then came a jury of twelve good and lawful men of Travis County, consisting of J. R. Billingsley, foreman, and eleven others, who were duly tried, elected, empannelled and sworn. And the jury having heard the plea of guilty and the charge of the Court, returned the following verdict, to wit: "We, the jury, assess the fine against the defendant O'Neal at ten dollars. J. R. Billingsley, foreman." Whereupon, It is ordered by the Court that the State of Texas do have and recover of and from the said defendant Jerry O'Neal the said sum of ten dollars and the cost of the prosecution, and that he remain in the custody of the Sheriff until the same are paid. And further ordered that the case be continued for service as to the other defendants.

1403 The State of Texas v. James Scales, et al. Continued for service
1404 The State of Texas v. Jam. Scales, et al. Continued for service
1405 The State of Texas v. James Scales, et al. Continued for service

1406. The State of Texas v. Jerry O'Neal, et al. And now at this day came Thomas E. Sneed, Esq. District Attorney on behalf of the State, and also came the Defd. O'Neal in person. And the parties announced themselves ready for trial. And then came a jury of twelve good and lawful men of Travis county, consisting of J. R. Billingsley and eleven others who were duly tried, elected, empannelled and sworn. And the jury having heard the plea of guilty and the charge of the Court, returned the following verdict, to wit: "We, the jury, assess the fine against the Defendant O'Neal at ten Dollars. J. R. Billingsley, Fmn." Whereupon, It is Ordered by the Court that the State of Texas do have and recover of and from the said Defendant Jerry O'Neal the said sum of Ten Dollars and all the cost of the prosecution, and that he remain in the custody of the Sheriff until the same are paid.

1407. The State of Texas v. James Scales, et al. Continued for service
1408 The State of Texas v. James Scales, et al Continued for service

1409 The State of Texas v. Jerry O'Neal, et al. And now at the day came Thomas E. Sneed, Esq. District Attorney, on behalf of the State, and also came the Defd. O'Neal in person, and announced themselves ready for trial. And then came a jury of twelve good and lawful men of Travis county, consisting of J. R. Billingsley and eleven others, who were tried, elected, empannelled and sworn. And the jury having heard the ~~plea of guilty~~ and the Charge of the Court, returned the following verdict, to wit: "We the jury, assess the fine against the Defendant O'Neal at ten Dollars. J. R. Billingsley, Foreman." Whereupon It is Ordered by the Court that the State of Texas do have and recover of and from the defendant, Jerry O'Neal the said sum of ten dollars and the cost of the prosecution, and that he remain in the custody of the Sheriff until the same are paid. And further Ordered that the cause be continued for service as to the other Defendants.

1410 The State of Texas v. Fred. Tate, et al. Continued for service

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1411 The State of Texas v. Jeny O'Neal. And now at this day came the District Atty on behalf of the State, and also came the Defendant in person and announced themselves ready for trial. And then came a jury of twelve good and lawful men of Travis County, Consisting of J. R. Billingsly and eleven others who were duly tried, elected, empanelled and Sworn. And the jury having heard the plea of guilty and the Charge of the Court, returned the following verdict, to wit: "We, the jury, assess the fine against the Defendant O'Neal at ten dollars. J. R. Billingsly, Foreman." Whereupon It is Ordered by the Court that the State of Texas do have and recover of and from the Defendant Jeny O'Neal the said sum of ten Dollars and the cost of the prosecution, and that he remain in the Custody of the Sheriff until the same are paid

1412 The State of Texas v. Jeny O'Neal et.al. And now at this day came the District Atty on behalf of the State and also came the deft. O'Neal in person. And the parties announced themselves ready for trial. Then came a jury of twelve good and lawful men of Travis County, Consisting of J. R. Billingsly and eleven others, who were duly tried, elected, empanelled and Sworn. And the jury having heard the plea of guilty and the Charge of the Court, returned the following Verdict, to wit: "We the jury, assess the fine against Defendant O'Neal at ten dollars. J. R. Billingsly, Foreman." Whereupon It is Ordered by the Court that the State of Texas do have and recover of and from the Defendant O'Neal the said sum of ten Dollars and the cost of this prosecution, and that he remain in the Custody of the Sheriff until the same are paid. Further Ordered that the cause be continued for service as to the other Defendants.

1413 The State of Texas v. Bill Whitsett. Continued for service.

1414 The State of Texas v. Wilson Green et.als. And now at this day came the District Atty on behalf of the State and also came the deft. Green in person. And by consent the continuance is set aside as to him. And thereupon the parties announced Ready for trial. Then came a jury of twelve good and lawful men of Travis County, Consisting of J. R. Billingsly Foreman and Seven others, who were tried, elected, empanelled and Sworn. And the jury having heard the defendants plea of guilty and the Charge of the Court, returned the following Verdict, to wit: "We the jury, assess the fine against the Defendant Green at ten Dollars. J. R. Billingsly, Foreman." Whereupon It is Ordered by the Court that the State of Texas do have and recover of and from the deft. Wilson Green the said sum of Ten Dollars and the cost of the prosecution, and that he remain in the custody of the Sheriff until the same are paid.

1415 The State of Texas v. Wilson Green et.als. And now at this day came the District Attorney on behalf of the State and also came the deft. Green in person. And by Consent the Continuance is set aside as to him. And thereupon the parties announced Ready for trial. Then came a jury of twelve good and lawful men of Travis County Consisting of J. R. Billingsly, Foreman, and Seven others, who were duly tried, elected, empanelled and Sworn. And the jury having heard the defendants plea of guilty and the Charge of the Court, returned the following Verdict, to wit: "We the jury, assess the fine against the Defendant Green at $10.00 J. R. Billingsly, Foreman." Whereupon, It is Ordered by the Court that the State of Texas do have and recover of and from the said defendant, Wilson Green, the said sum of Ten Dollars and the cost of the prosecution, and that he remain in the custody of the Sheriff until the same are paid.

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1416 The State of Texas vs Wilson Green et als. And now on this day came the District Attorney on behalf of the State and also came the defendant Green in person. And by consent the Continuance is set aside. And the parties announced ready for trial. And then came a jury of 12 good and lawful men of Travis County consisting of J. R. Billingsley and eleven others, who were duly tried, elected, empannelled and sworn. And the jury having heard the plea of guilty and the charge of the Court returned the following verdict, to wit: "We, the jury assess the fine against the Defendant Green at $10.00 J. R. Billingsley Foreman." Whereupon it is ordered by the Court that the State of Texas do have and recover of and from the said Defendant Green the said sum of Ten Dollars and the cost of the prosecution, and that he remain in the custody of the Sheriff until the same are paid.

1417 The State of Texas vs Wilson Green et als Dismissed as to Green and he discharged.

1418 The State of Texas vs Shelby Charles. And now on this day appeared in open Court the Defendant Shelby W. Charles as principal, and C. D. Wacker as security, and they acknowledged themselves jointly and severally justly to owe and be indebted unto The State of Texas in the penal sum of One Hundred Dollars, to be levied upon their respective goods and chattels, lands and tenements. But to be void if the said Charles shall appear at the next term of the District Court of Travis County to be held at the Courthouse thereof in Austin on the 4th Monday after the first Monday in October, 1861 and there remain from day to day and from term to term to answer to the Indictment preferred against him by the Grand Jury of Travis County at the Spring term of the District Court of said County 1861, for playing at a game with cards in a public place, to wit: in a gaming house, and that he do not depart the Court without leave.

1419 The State of Texas vs Jerry O Neal et als. Plaintiff, Defendants. And now at this day came the District Attorney on behalf of the State, and also came the defts O Neal in person. And the parties announced themselves ready for trial. And then came a jury of twelve good and lawful men of Travis County, consisting of J. R. Billingsley and eleven others who were tried, elected, empannelled and sworn as the law prescribes. And the jury having heard the defendants plea of guilty, and the charge of the Court, returned the following verdict, to wit: "We, the jury, assess the fine against defts. O Neal at $ 10.00 J. R. Billingsley Foreman." Whereupon it is ordered by the Court that the State of Texas do have and recover of and from the Defendant Jerry O Neal the said sum of Ten Dollars and the cost of the prosecution, and that he remain in the custody of the Sheriff until the same are paid. And the case is dismissed as to the defendant Green by the District Attorney and continued generally as to D. Yamaundo

1420 The State of Texas vs Wilson Green et als. Dismissed as to the Defendant Green and continued generally as to D. Yamaundo.

1421 The State of Texas vs Wilson Green et al. Continued generally and dismissed as to Wilson Green
1422 The State of Texas vs Wilson Green et al. Continued generally and dismissed as to Wilson Green
1423 The State of Texas vs Wilson Green et al. Continued generally and dismissed as to Wilson Green
1424 The State of Texas vs Jerry O Neal et al. Dismissed as to Jerry O Neal
1425 The State of Texas vs Jerry O Neal et al. Dismissed as to Jerry O Neal and continued.
1426 The State of Texas vs Jerry O Neal et al. Dismissed as to O Neal and Continued.

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1427 The State v. A Manchaca. Continued generally.
1428 The State v. A Manchaca. Continued generally
1430 The State v. Pedro Valadez. Continued generally
1431 The State v. J. L. A. St. Clair, et. al Continued generally
1432 The State v. Edmund Cuby. Bail fixed at $1000 and continued for Term
1433 The State v. G. B. Grimpleman. Bail fixed at $1000 and continued for Term

1434 The State of Texas vs. Frank V. Buchla. And now on this day appeared in open Court Frank V. Buchla, as principal, and Ernst Ravey as security, 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 upon their respective goods and Chattels, lands and tenements But to be void if the said Buchla shall make his personal appearance at the next Term of the District Court of Travis County to be held at the Court House thereof in Austin on the 4th Monday after the first Monday in October, 1861, then and there to answer to the indictment preferred against the said Buchla by the Grand Jurors of Travis County at the Spring Term of the District Court of said County, 1861 for wilfully detaining one D. R. D. Chezzum on a public road against the consent of him the said Chezzum, he the said Buchla then and there not being expressly authorized by law so to do, which detention was effected by the said Buchla by means of an affidavit and threats towards the said Chezzum, and that he there remain from day to day and from term to term, and that he do not depart the Court without leave.

1435 The State of Texas vs. Ros. Scott. Continued Generally

1436 The State of Texas, Plaintiff, vs. John H. Conner, Defendant. This cause being called for trial the Defendant John H. Conner failing to appear and answer to the Indictment in this case, he and his Securities, Sabina A Conner, James A. Thompson and M. T. Johnson being distinctly called at the door of the Courthouse of Travis County, and the defendant, after a reasonable length of time still failed to appear. And it appearing to the Court that the Defendant John H. Conner, with the said Sabina A. Conner, James A. Thompson and M. T. Johnson as his Securities, did execute the Bail Bond on file in this case substantially as follows: Dated 27th day of December 1860, payable unto The State of Texas in the Sum of Three Thousand Dollars, conditioned that the said Defendant John H. Conner, make his personal appearance at the District Court of said County of Travis, on the ninth Monday after the first Monday in October, 1861, at the next regular term after the said 27th December, 1860, to answer the charge of Shooting, with a deadly weapon, to wit: a pistol, one Gilleland, and there remain from day to day and from term to term of said Court, and that he do not depart thence without leave of said Court, which said bond is forfeited. And it is considered by the Court that the State of Texas do have and recover of the said John H. Conner the said Sum of Three Thousand Dollars, and of his said Securities the Sum of Three Thousand Dollars, and that this Judgment will be made final unless good cause be shown at the next term of this Court why the said Defendant John H. Conner, did not appear. And further Ordered that Citations do issue to the said Securities

1436 The State of Texas v. John H. Conner. Bail fixed at $3000 and continued for service.
1437 The State of Texas v. John H. Conner. Continued for Term
1438 The State of Texas v. John H. Conner. Continued for term, and bail fixed at $3000

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1439 The State of Texas v. Wilson Green. Prosecution dismissed and the Defendant discharged
1440 The State of Texas v. Wilson Green, et.als. Prosecution dismissed as to Green and contd as to other Defts
1441 The State of Texas v. Wilson Green, et.als. Prosecution dismissed as to Green and contd as to other Defts.
1442 The State of Texas v. Wilson Green, et.als. Prosecution Dismissed as to Green and contd as to other Defts
1443 The State of Texas v. Wilson Green. Prosecution Dismissed
1444 The State of Texas v. Wilson Green, et.als. Dismissed as to Green and continued as to others
1445 The State of Texas v. Wm Tobin, et.als. Continued for Term
1446 The State of Texas v. Henry Continued for Term
1447 The State of Texas v. Smart Continued for Term
1448 The State of Texas v. John C. Campbell. Continued for Term
1449 The State of Texas v. Alfred Robinson, et.als. Dismissed as to Neal and continued as to others
1450 The State of Texas v. Alfred Robinson et.als. Dismissed as to Neal and continued as to others
1451 The State of Texas v. Alfred Robinson et.als. Dismissed as to Neal and continued as to others
1452 The State of Texas v. Fox & Innes Continued for Term
1453 The State of Texas v. Fox & Innes Continued for Term
1454 The State of Texas v. Fox & Innes Continued for Term
1455 The State of Texas v. Fox & Innes Continued for Term
1456 The State of Texas v. Fox & Innes Continued for Term
1457 The State of Texas v. Fox & Innes Continued for Term
1458 The State of Texas v. Fox & Innes Continued for Term
1459 The State of Texas v. Fox & Innes Continued for Term
1460 The State of Texas v. Fox & Innes Continued for Term
1461 The State of Texas v. Fox & Innes Continued for Term
1462 The State of Texas v. Fox Continued for Term
1463 The State of Texas v. Fox Continued for Term
1464 The State of Texas v. Neal & Fox Dismissed as to Neal & Contd as to Fox
1465 The State of Texas v. Neal & Fox Dismissed as to Neal and Continued as to Fox
1466 The State of Texas v. Neal & Fox Dismissed as to Neal and Continued as to Fox
1467 The State of Texas v. Neal & Fox Dismissed as to Neal and Continued as to Fox

1429 The State of Texas } Plaintiff } The verdict of the jury having been rendered and
v. } returned into Court, in this case at a former day
Martin Sexton } Defendant } of the term, the Court now proceeds to render
judgment thereon. And it appearing unto said Court that the defendant
was found guilty of an aggravated assault, and his punishment affixed
at a fine of One hundred dollars and three months imprisonment in the
County jail; and the said defendant having made oath that he is wholly
unable to pay the fine and cost, It is ordered that the punishment be changed
from fine, to imprisonment in the county jail in accordance with Section 694 of
the Code of Criminal Procedure. It is therefore ordered by the Court that the
Clerk issue a commitment to the Sheriff of Travis County, committing the said
defendant to the county jail of Travis County for the space of three months,
in accordance with said verdict, and for the further length of time, (in lieu of
said fine) of 36 days, amounting, in the aggregate, to an imprisonment
of Three months and six days, to be computed from the 12th day of June, 1861
to the 17th day of October, 1861, after the expiration of which time the Sheriff
is directed to release the said defendant from imprisonment.

District Court Minutes, Spring Term, June 12th 1861

The Report of the Jury Served had at the Spring Terme of the Hon'd District Court of Travis County, 1861. the name of the Jurors the Number of days each Juror Served, and the amount that each Juror is entitled to Receive, for the Same, viz:

Grand Jury.

1	P. W. Norkin	4 days	$ 6.00
2	John McCuistion	4 "	6.00
3	A. McLaurin	4 "	6.00
4	C. Stockton	4 "	6.00
5	D. W. Cooner	4 "	6.00
6	B. A. Rochel	4 "	6.00
7	S. M. Wright	4 "	6.00
8	James H. Raymond	4 "	6.00
9	John P. Bonning	4 "	6.00
10	S. M. Cain	4 "	6.00
11	W. M. Wilson	4 "	6.00
12	B. F. Johnson	4 "	6.00
13	John J. Jordan	4 "	6.00
14	O. Wilcox	4 "	6.00
15	Hugh McPride	4 "	6.00
		60 days @ $1.50	
		Making in the aggregate	$90.00

Petit Jurors

1	James Lansing	2	3.00
2	Isaac Watkins	4	6.00
3	Eugene Bremond	5	7.50
4	Wm Armstrong	2	3.00
5	G. B. Bimpleman	2	3.00
6	C. L. Berry	2	3.00
7	Joseph Watson	5	7.50
8	Robert Bratton	2	3.00
9	L. B. Moore	2	3.00
10	James Young	5	7.50
11	L. R. Ives	4	6.00
12	C. C. Bunning	2	3.00
13	Jack Elmir	5	7.50
14	F. Slenfy	5	7.50
15	T. W. Allen	2	3.00
16	Joseph Harrell	5	7.50
17	C. Rusk	5	7.50
18	R. M. Johnson	5	7.50
19	M. F. Bell	5	7.50
20	C. Spalding	5	7.50
21	C. D. Walker	5	7.50
22	A. Palm	5	7.50
23	Wilson Green	5	7.50
24	A. J. Logan	5	7.50
25	Ben. Hennicks	5	7.50
26	W. W. Townsend	4	6.00
27	L. B. Collins	4	6.00
28	D. H. Millican	2	3.00
29	C. H. Darby	2	3.00

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30	I. R. Billingsly	2	3.00
31	A. Elias	2	3.00
32	R. P. Wright	2	3.00
33	John Stitzer	2	3.00
		179	$268.50

I hereby certify that the above Statement is a true and correct account of the Jury Venire Rendered, as Kept by me. John T. Pree, Sheff Travis Co.

And thereupon Court adjourned till to Morrow Friday Morning June 14th, 1861

x

Friday, 14th June, 1861.

Court Convened at 9 o'clock A. M. pursuant to adjournment. A. W. Terrell, 2d District Judge presiding. Whereupon the following proceedings were had by said Court, to wit:

2044 Canal, Herrick & Mead v. Adams & Sadler. And now at this day came the Counsel for the Defendants in this case and submitted to the Court the motion filed in this case for Stay of execution until the further Order of the Court, because of the reasons set forth in said motion. And the said motion being heard and duly considered by the Court, It is Ordered, that the Clerk of this Court be directed to not to issue an execution authorized by the Judgment rendered in this cause at the last term of the Court, until further ordered by the Court.

2045 W. L. McDonald v. Adams & Sadler. And now at this day came the Counsel for the Defendants in this case and submitted to the Court the motion filed in this case for Stay of execution until the further order of the Court, because of the reasons set forth in said motion. And the said motion being heard and duly considered by the Court, It is ordered that the Clerk of this Court be directed not to issue an execution authorized by the Judgment rendered in this cause at the last term of the Court, until further ordered by the Court.

2063 Reid & Tracy v. Adams & Sandrick. And now at this day came the Counsel for the Defendants in this case and submitted to the Court the motion filed in this case for Stay of execution until the further order of the Court, because of the reasons set forth in said motion. And the said motion being heard and duly considered by the Court, It is ordered that the Clerk of this Court be directed not to issue an execution authorized by the Judgment rendered in this cause at the last term of the Court, until further ordered by the Court.

1497 The State of Texas v. C. D. Haley, et. al. And now on this day came the Counsel for the defendants and submitted to the Court the motion filed in this case praying for a change of the venue to the county of Williamson, because of the disqualification of the presiding Judge to try the same And because of the existence of such disqualification, It is ordered by the Court that the venue of this cause be changed to the County of Williamson, and that the Clerk of this Court do transmit to the Clerk of the District Court of Williamson County, on or before the first day of the next term of said Court, all the original papers in this cause together with a certified copy of all the entries in the case together with a and of the bill of cost, according to law

District Court Minutes, Spring Term, June 14th 1861

1498. The State of Texas v. C. D. Haley, et. al. And now at this day came the counsel for the defendants and submitted to the Court the motion filed in this case praying for a change of the venue to the County of Williamson, because of the disqualification of the presiding Judge to try the same. And because of the disqualification of the presiding judge, It is ordered by the Court that the venue of said cause be changed to the County of Williamson, and that the Clerk of this Court do transmit to the Clerk of the District Court of Williamson County, on or before the first day of the next term thereof, all the original papers in this cause together with a certified copy of all the entries in the cause and of the bill of cost.

1499 The State of Texas v. I. D. Cummins et. al. And now at this day came the counsel for the defendants, and submitted to the Court the motion filed in this cause praying for a change of the venue to the County of Williamson, because of the disqualification of the presiding judge to try the same. And because of such disqualification, It is ordered by the Court that the venue of said cause be changed to the County of Williamson, and that the Clerk of this Court do transmit to the Clerk of the District Court of Williamson County, on or before the first day of the next term thereof, all the original papers in this cause together with a certified copy of the entries and of the bill of cost.

1500. The State of Texas v. I. D. Cummins, et. al. And now at this day came the counsel for the defendants, and submitted to the Court the motion filed in this cause praying for a change of the venue to the County of Williamson, because of the disqualification of the presiding judge to try the same. And because of such disqualification, It is ordered by the Court that the Clerk of this Court do transmit to the Clerk of the District Court of Williamson County on or before the first day of the next term thereof, all the original papers in this cause together with a certified copy of the entries and of the bill of cost.

1923. The State of Texas v. C. D. Haley, et. al. And now at this day came the counsel for the defendants, and submitted to the Court the motion filed in this cause praying for a change of the venue to the County of Williamson, because of the disqualification of the presiding judge to try the same. And because of such disqualification, It is ordered by the Court that the Clerk of this Court do transmit to the Clerk of the District Court of Williamson County, on or before the first day of the next term thereof, all the original papers in this cause together with a certified copy of the entries and of the bill of cost

1924 The State of Texas v. C. D. Haley, et. al. And now at this day came the counsel for the defendants, and submitted to the Court the motion filed in this cause praying for a change of the venue to the county of Williamson because of the disqualification of the presiding judge to try the same. And because of such disqualification, It is ordered by the Court that the Clerk of this Court do transmit to the Clerk of the District Court of Williamson County, on or before the first day of the next term thereof, all the original papers in this cause together with a certified copy of the entries and of the bill of cost.

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The Clerk reports the following as the only Jury Fees that he has collected since the last Term of the Court

No 1329	The State of Texas	vs R. T. J Bonnings	$5.00
" 1330	"	" " "	5.00
" 1391	"	" Rus Scotty	5.00
" 1416	"	" Wilson Green	5.00
" 1413	"	" "	5.00
" 1414	"	" "	5.00
	The total jury Docket is 179 days amounting to $268.50		$30.00

The pro Rata is 16 Cents a day

Commissions deducted 75c leaving Jury pmd $29.25

16 Cents a day makes 28.64

Due the County .61

Emmett Bonny clerk, D.C.C.

The within and foregoing minutes of the proceedings of the present Term of this Court have been read and are now approved, and it ordered that this court do now stand adjourned until the next regular Term of this Court June 14th 1861

A P Terrell (Seal)

Judge 2nd District

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The State of Texas } Be it Remembered, That on this the 10th day of September, A.D. 1861,
County of Travis } the following named persons were drawn to serve as Jurors at the Fall
Term, 1861. of the Travis District Court, by Frank Brown, Clerk of the District Court
of Travis county, and Jack Miner, Deputy clerk of the County Court of Travis county, in
the presence of John T. Graves Esq., J. P. Travis county, in Accordance with Article
No. 1049, of Oldham & White's Digest, to certify which the above named officers ap-
pend their names below, to wit:

1. D.W.C. Baker.
2. Charles Sprenger.
3. Louis Hosh
4. W.K. Reynolds.
5. Jackson Thompson
6. S. Lockwood.
7. Thomas O. Stanley, Jr.
8. O.K. Oldham.
9. W.C. Burditt
10. John Dillingham.
11. M. A. Hanston.
12. George Sanders
13. Matthew Brown.
14. S. B. Reed
15. Thomas Bacon
16. F. E. Adams.
17. John Dougherty.
18. John W. Brown.
19. D.C. Sheep.
20. M.K. Hill
21. Wm Latta.
22. John K. Hick
23. Thomas Thorn.
24. Wm D. Patton.

John T. Graves J.P.

Frank Brown, Clk. D.C.C.

J. T. McLaurin, Clk. F.C.
J. Miner, Deputy

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The State of Texas } Be it remembered That at a term of the District Court
County of Travis } thereof begun and held at the City of Austin, within and for the County and State aforesaid, on the ninth Monday after the first Monday in October, A. D. 1861, the same being the 9th day of December 1861, and the time fixed by law for the begin of the Fall Term, of said Court, for said year, Present the Hon. A. W. Terrell, Judge of the Second Judicial District of the State of Texas, presiding, Frank Brown, Clerk, and Thomas C. Callins, Sheriff, the following proceedings were had by said Court, to wit:

X

The Venire Facias heretofore issued by the Clerk of this Court, having been returned into Court only executed by the Sheriff; and the Sheriff having called the names of said Venire men, and a sufficient number not appearing, It is ordered by the Court that the Sheriff summon a sufficient number of the bystanders to complete the panel of Grand jury men. And it appearing to the Court that the names of those persons summoned in the regular Venire, who are in attendance, have been duly selected by the County Court, in accordance with law; and said venire men, as also the bystanders summoned to complete the panel, are, after examination in open Court, found to be competent to act as Grand jury men, being duly tried and sworn according to law, It is ordered that they be empannelled as the Grand jury of Travis county for and during the present term of this Court. The names of said Grand Jury men, so selected, are as follows, to wit: M. K. Ryan, James M. Turley, W. B. Nichols, E. W. Goodrich, John H. Wacker, Aaron B. Burleson, John M. Swisher, C. S. Giles, D. W. C. Baker, Louis Horst, W. H. Reynolds, Jackson Thompson, S. Lockwood, Thomas C. Stanley, M. A. Hanston, John H. Tuck & Geo. Sanders. And thereupon the said Grand jury above named having been, as aforesaid, duly tried, and elected, and being duly empanelled, according to law, were charged by the Court, in the terms of the law as to the duties devolving upon them. And thereupon the Court appointed Martin K. Ryan, foreman of said Grand Jury. And the said Grand Jury were, thereupon, ordered to retire upon a discharge of their duties.

And thereupon, D. K. Pinckett and Jenkins Davis were appointed Bailiffs to wait upon the Grand Jury, and were duly sworn and charged by the Court as to the duties devolving upon them.

And thereupon, It is ordered by the Court, that the Criminal Docket be set for hearing and trial on next Wednesday morning at 9 o'clock, the 11th instant.

The State of Texas } Plaintiff } And now on this day appeared in open Court
1436 } } John H. Conner, as principal, and James A.
John H. Conner } Defendant } Thompson, G. W. Glascock, O. H. Millican and
George W. Davis as his sureties, and they and each of them acknowledged themselves, jointly and severally, justly to owe and be indebted unto The State of Texas in the penal sum of Two Thousand Dollars for the payment of which to be levied upon their respective goods and Chattels, Lands and Tenements, But to be void, nevertheless, if the said John H. Conner, shall be and remain personally, in attendance upon the Honorable District Court of Travis County, now in session at the Court House thereof, in the City of Austin, and from term to term thereafter, and from day to day of each term, to answer the Indictment preferred against him by the Grand Jury of Travis county,

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at the Spring term, 1861, for making an assault upon the body of one William Gilleland with the intent to Kill and murder him the said William Gilleland and that he, the said Conner, do not depart the Court without leave.

1437. The State of Texas vs. John H. Conner — Plaintiff, Defendant — And now on this day appeared in open Court John H. Conner, as principal, and G. W. Glascock, O. H. Millican and George W. Davis, as his securities, and they and each of them acknowledged themselves, jointly and severally, justly to owe and be indebted unto The State of Texas in the penal sum of Three Thousand Dollars to be levied upon their respective Goods and Chattels, Lands and Tenements, But to be void, nevertheless, if the said John H. Conner, shall be and personally appear, and remain in attendance upon the Honorable District Court of Travis County now in session, at the Courthouse thereof, in the City of Austin, and from term to term thereafter, and from day to day of each term, to answer the Indictment preferred against him by the Grand Jurors of Travis County, at the Spring Term, 1861, for Murder, and that he, the said Conner, do not depart the Court without leave.

And thereupon, It is ordered by the Court that the above entitled cause be set for trial, on the 18th December, 1861, and that the Clerk of this Court issue a special venire for thirty six jurors, to be in attendance, on the morning of said day, at 9 o'clock.

1438 The State of Texas vs. John H. Conner — Plaintiff, Defendant — And now on this day appeared in open Court John H. Conner, as principal and G. W. Glascock, O. H. Millican and George W. Davis, as his securities, and they, and each of them acknowledged themselves jointly and severally, justly to owe and be indebted unto The State of Texas in the penal sum of Two Thousand Dollars to be levied upon their respective Goods and Chattels, Lands and Tenements, But to be void, nevertheless, if the said John H. Conner shall be, and personally appear, and remain in attendance, upon the Honorable District Court of Travis county, now in session, at the Courthouse thereof in the City of Austin, and from term to term thereafter, and from day to day of each term, to answer the Indictment preferred against him by the Grand Jurors of Travis county, at the Spring Term, 1861, for Making an assault upon the body of one William G. Wallace with the intent to Kill and murder him, the said William G. Wallace and that he, the said John H. Conner, do not depart the Court without leave.

1468 The State of Texas vs. John Martin — Plaintiff, Defendant — It is ordered by the Court that a special Venire issue for 36 jurors, returnable on the 16th instant, in this case, and that the said cause be set for trial, at the hour of 9 o'clock, A. M. on the 16th inst.

1469 The State of Texas vs. Lee, a Slave — Plaintiff, Defendant — It is ordered by the Court that a special Venire issue for 36 jurors, returnable on the 17th instant, in this case, and that the said cause be set for trial at the hour of 9 o'clock, A. M. on said day.

It is further ordered by the Court, on motion of the Defendant,

that the clerk of this Court issue writs of attachment, on behalf of the Defendant, to Williamson County, for the following witnesses, to wit: Lafayette G. Ford, Mary C. Ford, Phoeba A. Jones, W. R. A. Wetherby, and Amy and Lewis, slaves of Mrs. Lydia Robinson

And thereupon Court adjourned till Wednesday morning next, at 9 o'clock.

Wednesday, December 11th, 1861.

Court convened at 9 o'clock A. M. pursuant to adjournment. A. W. Terrell, 2d District Judge presiding. Whereupon the following proceedings were had by said Court, to wit:

And now at this day appeared in open Court the Grand Jury of Travis County, duly tried, elected empannelled, sworn and charged for and during the present Term of this Court, and through their foreman, M. K. Ryan, presented to the Court the following bills of Indictment, to wit:

1471	The State of Texas vs. L. L. Stubblefield & L. S. W. Cook	Plaintiff vs. Defendants	Indictment for an Assault with intent to Kill and murder one John Combs
1472	The State of Texas vs. James Austin	Plaintiff vs. Defendant	Indictment for an aggravated Assault and Battery
1473	The State of Texas vs. Amos Morrill	Plaintiff vs. Defendant	Indictment for wilfully and wantonly killing a mare.
1474	The State of Texas vs. Fred Kirk	Plaintiff vs. Defendant	Indictment for an Assault with intent to Kill & murder.

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

111	The State v. Andrew Jackson.	Continued for Service
132	The State v. N. B. Thompson	Continued for Service
143	The State v. M. Wetherby	Continued for Service
142	The State v. E. C. Travelstead	Continued for Service
126	The State v. E. C. Travelstead	Continued for Service
152	The State v. E. C. Travelstead	Continued for Service
153	The State v. B. F. Thompson	Continued for Service
463	The State v. J. Hodges	Continued for Service
477	The State v. J. M. Morris	Continued for Service
576	The State v. J. B. Peck.	Continued for Service

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1125	The State	v.	Wm A. Bates.	Continued for Service
1132	The State	v.	Wm A. Bates	Continued for Service
858	The State	v.	J. Bugagnier	Continued for Service
899	The State	v.	Alfred Evans	Continued for Service
900	The State	v.	J. C. Irvin	Continued generally
905	The State	v.	John Marshall	Continued generally
907	The State	v.	John Marshall	Continued generally
908	The State	v.	John Marshall	Continued generally
909	The State	v.	W. C. Phillips	Continued generally
910	The State	v.	Geo. W. Paschal	Continued generally
1131	The State	v.	W. A. Pope.	Dismissed - no bill prosequi.
1156	The State	v.	Wm Lewis.	Continued generally
1168	The State	v.	Langley & Cannis	Continued generally
1177	The State	v.	J. W. Kirk	Continued Generally
1189	The State	v.	Caston	Continued Generally
1235	The State	v.	W C Leggett	Cont'd for Service
1236	The State	v.	Jack Robertson	Continued generally
1244	The State	v.	Bud Cotton	Dismissed - no bill prosequi
1245	The State	v.	Bud Collier	Dismissed no bill prosequi
1246	The State	v.	Bud Collier	Dismissed no bill prosequi
1247	The State	v.	Bud Collier	Dismissed no bill prosequi
1248	The State	v.	Bud Collier	Dismissed no bill prosequi
1249	The State	v.	Bud Collier	Dismissed no bill prosequi
1255	The State	v.	Sardin & Stegall	Dismissed no bill prosequi
1256	The State	v.	Sardin & Stegall	Dismissed no bill prosequi
1257	The State	v.	Sardin & Stegall	Dismissed no bill prosequi
1258	The State	v.	Sardin & Stegall	Dismissed no bill prosequi
1259	The State	v.	Sardin & Stegall	Dismissed no bill prosequi
1260	The State	v.	Sardin & Stegall	Dismissed no bill prosequi
1261	The State	v.	Green Daffied	Dismissed no bill prosequi
1268	The State	v.	R H Crosby	Continued for Service
1269	The State	v.	R H Crosby	Continued for Service
1279	The State	v.	James Sardin	Dismissed
1280	The State	v.	Sardin & Stegall	Dismissed
1281	The State	v.	Henry and Wells	Dismissed
1282	The State	v.	Henry and Wells	Dismissed
1283	The State	v.	Henry and Wells	Dismissed
1289	The State	v.	Thos W Evans	Dismissed
1290	The State	v.	Green Daffield	Dismissed
1291	The State	v.	Green Daffield	Dismissed
1292	The State	v.	Jack Robertson	Continued for Service
1317	The State	v.	D. H. Emmons	Continued for Service
1298	The State	v.	M. Henry	Continued

1324 The State of Texas v. Alfred Robinson. And now on this day appeared in open Court the District Attorney on behalf of the State, and also came the defft. Alfred Robinson, in person, and announced themselves ready for trial. And thereupon came a jury of twelve good and lawful men of Travis county consisting of A. B. Cook, foreman and eleven others, who were duly tried, elected, empannelled and sworn according to law. And the jury having heard the

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plea of guilty and the charge of the Court, returned the following verdict to wit: "We, the Jury, assess the fine at ten Dollars. A.H. Coats, foreman" Whereupon, It is ordered, adjudged and decreed by the Court, that the State of Texas do have and recover of and from the defendant, Alfred Robinson, the said sum so assessed by the jury, together with the cost of this prosecution, and that he remain in the custody of the Sheriff until the same be paid in full.

1329	The State	v. Charles Barnard.	Dismissed
1329	The State	v. Charles Barnard	Dismissed
1331	The State	v. Charles Barnard	Dismissed
1333	The State	v. R H Crosby	Continued generally.
1335	The State	v. P. Millegan	Dismissed
1339	The State	v. Frank Colton	Dismissed.
1340	The State	v. Frank Colton	Dismissed
1341	The State	v. Frank Colton	Dismissed
1342	The State	v. Frank Colton	Dismissed
1343	The State	v. Frank Colton	Dismissed
1344	The State	v. Frank Colton	Dismissed
1347	The State	v. Irving Root.	Continued Generally
1348	The State	v. Irving Root	Continued Generally
1351	The State	v. Peter Kerns.	Continued
1353	The State	v. Shipley	Dismissed
1354	The State	v. Shipley	Dismissed
1355	The State	v. Shipley	Dismissed
1356	The State	v. Shipley	Dismissed
1362	The State	v. Frank Colton	Dismissed
1363	The State	v. Charles Reis	Dismissed
1365	The State	v. Matthews Colton	Dismissed
1366	The State	v. Charley Reis	Dismissed
1367	The State	v. Charles Reis	Dismissed
1368	The State	v. Bill Matthews	Dismissed
1369	The State	v. Bill Matthews	Dismissed
1371	The State	v. Joseph Morrison.	Continued
1372	The State	v. Matthews Colton	Dismissed
1379	The State	v. Colton Crosby	Dismissed
1382	The State	v. Andrew Chamberlin.	Continued for Term
1383	The State	v. J. M. Drake.	Continued
1387	The State	v. Victoria Montagne	Continued
1389	The State	v. Smith	Continued
1392	The State	v. J. F. Paschal, Jr. Co.	generally
1393	The State	v. Irvin W. Smyth	Continued generally
1352	The State	v. Graham, et al.	Continued and capias ordered.
1394	The State	v. Robinson & Stories	Dismissed as to Robinson, and Cont'd as to Stories
1395	The State	v. Robinson & Stories	Dismissed as to Robinson, and Cont'd as to Stories
1396	The State	v. Robinson & Stories	Dismissed as to Robinson and Cont'd as to Stories

1397 The State v. Alfred Robinson. And now on this day appeared in open Court the District Attorney on behalf of the State, and also came the defendant in proper person, and announced themselves ready for trial.

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And thereupon came a jury of twelve good and lawful men of Travis County, Consisting of A. H. Cook, foreman, and eleven others, who were duly tried, elected, empannelled and sworn. And the Jury having heard the Defendants plea of guilty and the Charge of the Court, returned the following verdict, to wit: "We, the Jury, assess the fine at ten Dollars. A. H. Cook, foreman."

Whereupon, It is ordered, adjudged and decreed by the Court that the State of Texas do have and recover of and from the defendant, Alfred Robertson, the said sum of Ten Dollars and the Cost of this prosecution, & that he remain in the Custody of the Sheriff until the same are paid

1398. The State v. Alfred Robinson. And now on this day came the District Attorney on behalf of the State, and also came the Defendant Robertson in proper person, and announced ready for trial. And thereupon came a Jury of 12 good and lawful men of Travis County, Consisting of A. H. Cook and eleven others, who were duly tried, elected, empannelled and sworn. And the Jury having heard the plea of guilty and the Charge of the Court, returned the following verdict, to wit: "We, the Jury assess the fine at ten Dollars A. H. Cook, Foreman." Whereupon, It is ordered, adjudged and decreed by the Court that the State of Texas do have and recover of and from the defendant, A. H. Cook the said sum of Ten Dollars and the Cost of the prosecution, and that he remain in the custody of the Sheriff until the same be paid.

1398 The State v. A. Manchac. Ordered that the bond of Manchac in this Cause be quashed, and that the Cause be continued.

1399. The State v. Alfred Robertson, et. al. And now on this day came the District Attorney on behalf of the State, and also came the Defendant Robertson, by att'y in proper person, and announced themselves ready for trial. And thereupon came a Jury of twelve good and lawful men of Travis County, consisting of A. H. Cook, foreman, and eleven others who were duly tried, elected, empanneled and sworn. And the Jury having heard the Defendants plea of guilty and the Charge of the Court, returned the following verdict, to wit: "We, the Jury, assess the fine at ten Dollars A. H. Cook, foreman."

Whereupon, It is ordered by the Court that the State of Texas do have and recover of and from the Defendant, Alfred Robertson the said sum of ten dollars and the Cost of this prosecution, and that he remain in the Custody of the Sheriff until the same are paid in full.

1400. The State v. Ames & Robertson. Dismissed as to Robertson & Cont'd as to Ames
1401 The State v. Jno. Burks et als. Dismissed as to Robertson & Cont'd as to others
1402 The State v. Benj. Ames, et. als. Dismissed as to Robertson & Cont'd as to others
1403 The State v. Scales et. als. Bond of Manchac quashed and Cont'd for Term
1404 The State v. Scales et. als. Bond of Manchac quashed and Cont'd for Term
1405 The State v. Scales, et. als. Bond of Manchac quashed & Cont'd for Term
1406 The State v. Cook et. als. Continued Generally
1407 The State v. Scales et. als. Bond of Manchac quashed, & Cont'd for Term
1408 The State v. Scales et. als. Bond of Manchac quashed & Cont'd for Term
1409 The State v. Scales et. als. Bond of Manchac quashed & Cont'd for Term
1410 The State v. Tato, et. als. Cont'd for Term

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1412 The State v. Bowles et.als. Continued generally
1413 The State v. Bill Wheelock. Continued
1414 The State v. De Normandie, et. als. Dismissed as to De Normandie & cont'd as to Browning.

1415 The State of Texas vs. W. P. De Normandie, et. als And now at this day came Thomas E. Sneed, District Attorney, on behalf of the State, and also came the Defendant De Normandie, in person, and announced themselves ready for trial. And thereupon came a Jury of twelve good and lawful men of the County of Travis, consisting of A. H. Cook, foreman, and eleven others, who were duly tried, elected, empannelled and sworn. And the Jury having heard the defendants plea of guilty and the charge of the Court, returned the following verdict, to wit "We, the Jury find W. P. De Normandie Defendant, guilty, and assess the fine at ten Dollars A. H. Cook, foreman." Whereupon It is ordered adjudged and decreed by the Court that the State of Texas do have and recover of and from the Defendant W. P. De Normandie, the said sum of Ten Dollars and the cost of the prosecution, and that he remain in the custody of the Sheriff until the same be paid in full. And ordered that the cause be continued as to Browning.

1416 The State of Texas v. W. P. De Normandie, et. als And now at this day came Thomas E. Sneed, District Attorney, on behalf of the State and also came the Defendant De Normandie, in person, and announced themselves ready for trial. And thereupon came a Jury of twelve good and lawful men of the County of Travis, consisting of A. H. Cook foreman, and eleven others who were duly tried, elected, empannelled and sworn. And the Jury having heard the Defendants plea of guilty and the charge of the Court, returned the following verdict, to wit: "We, the Jury, find the Defendant De Normandie guilty, and assess the fine at ten Dollars. A. H. Cook, foreman." Whereupon It is adjudged by the Court that the State of Texas do have and recover of and from the Defendant W. P. De Normandie, the said sum of Ten Dollars and the cost of the prosecution, and that he remain in the custody of the Sheriff until the same be paid in full. Ordered that the cause be continued as to the defendant Browning.

1417 The State v. De Normandie et. als. Dismissed as to De Normandie, cont'd as to Browning.
1419 The State vs. De Normandie, et. als. Dismissed as to De Normandie
1420 The State v. De Normandie, et. als. Dismissed as to De Normandie
1421 The State v. De Normandie, et. als Dismissed as to De Normandie
1422 The State v. De Normandie, et. als Dismissed as to De Normandie

1423 The State v. J. N. Herndon. And now at this day came Thomas E. Sneed Distrct Attorney on behalf of the State and also came the Defendant J. N. Herndon in person and announced themselves ready for trial. And then came a Jury of 12 good and lawful men of Travis County consisting of A. H. Cook and seven others who were duly elected, empannelled and sworn as the law prescribes and the Jury having heard the Defendants plea of guilty and the charge of the Court, returned the following verdict, to wit: "We, the Jury, find J. N. Herndon guilty, and assess the fine at ten Dollars. A. H. Cook, Foreman." Whereupon, It is ordered by the Court that the State of Texas do have and recover of and from the Defendant J. N. Herndon, the said sum of Ten Dollars

and the cost of the prosecution, and that he remain in the custody of the Sheriff until the same be paid.

1431 The State v. C. A. Harrison. And now on this day came Thomas C. Sneed, District Atty. on behalf of the State, and also came the Defendant Harrison in proper person, and announced themselves ready for trial. And thereupon came a Jury of twelve good and lawful men of Travis county consisting of A. H. Cook, foreman, and eleven others, who were duly tried, elected, empannelled and sworn according to Law. And the Jury having heard the Defendant's plea of not guilty and the evidence and being charged by the Court, returned the following verdict, to wit: "We, the Jury, find the Defendant guilty, and assess the fine at fifteen Dollars. A. H. Cook, Foreman." Whereupon, It is ordered by the Court that the State of Texas do have and recover of and from the Defendant C. A. Harrison, the said sum of Fifteen Dollars and the cost of the prosecution, and that he remain in the custody of the Sheriff until the same be paid in full.

1440 The State of Texas v. The. Anderson. And now on this day came C. L. Robards, Esq. appointed by the Court, on behalf of the State, and also came the Defendant The. J. Anderson, by his atty. W. H. D. Carrington, and the parties announced themselves ready for trial. And thereupon came a Jury of twelve good and lawful men of Travis county, consisting of A. H. Cook, foreman, and eleven others, who were duly tried, elected, empannelled and sworn. And the Jury having heard the Defendant's plea of guilty and the charge of the Court, returned the following verdict, to wit: "We, the Jury, assess the fine against the Defendant Anderson at two Dollars. A. H. Cook, Foreman." Whereupon, It is ordered by the Court that the State of Texas do have and recover of and from the Defendant The. Anderson the said sum of Two Dollars and the cost of this prosecution, and that a capias issue to enforce the collection of the same.

1441. The State by The. Anderson. And now on this day came C. L. Robards, Esq. appointed by the Court, on behalf of the State, and also came the Defendant The. Anderson, by his Attorney, W. H. D. Carrington, and the parties announced themselves ready for trial. And thereupon came a Jury of 12 good and lawful men of Travis county, consisting of A. H. Cook, foreman, and eleven others, who were duly tried, elected, empannelled and sworn. And the Jury having heard the Defendant's plea of guilty and the charge of the Court, returned the following verdict to wit: "We, the Jury, assess the fine against the Defendant Anderson at Ten Dollars. A. H. Cook, Foreman."

Whereupon, It is Ordered by the Court that the State of Texas do have and recover of and from the Defendant The. Anderson the said sum of Ten Dollars and the cost of the prosecution and that a Capias issue to enforce the collection of the same.

1442 The State v. The Anderson, et al. Dismissed as to Defft. Anderson

1444 The State v. The. Anderson, et al. Dismissed as to Defft. Anderson

1468 The State v. John Martin. On motion, It is ordered that a writ of attachment issue to Williamson county, in this case, for the witness, Littleton Stanton.

1469 The State v. Lee, a Slave. On motion, It is ordered that a writ of attachment issue to Williamson County in this case for the witness, Jo. G. Harrell, by direction of John Fry & of John C. Black.

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

Thursday, December 12th, 1861.

Court convened at 9 o'clock A. M. pursuant to adjournment. A. W. Terrell, 2d. District Judge presiding. Whereupon the following proceedings were had by said Court, to wit:

And now at this day came and appeared in open Court the Grand Jury of Travis county, duly elected, tried, empannelled, sworn and charged for and during the present term of this Court, and through their foreman, M. K. Ryan, presented to the Court the following Bills of Indictment, to wit:

↓ 1475	The State of Texas vs Samuel J. Wood	Plaintiff / Defendant	Embezzlement of Public Money
↓ 1476	The State of Texas vs Samuel J. Wood	Plaintiff / Defendant	Embezzlement of Public Money
↓ 1477	The State of Texas vs William Boyd	Plaintiff / Defendant	Theft.
↓ 1478	The State of Texas vs Lynch	Plaintiff / Defendant	Theft.
↓ 1479	The State of Texas vs Seth. Jackson	Plaintiff / Defendant	Theft.
↓ 1480	The State of Texas vs John Hill	Plaintiff / Defendant	Theft
↓ 1481	The State of Texas vs John A. Mexican	Plaintiff / Defendant	Betting at A Monte.
↓ 1482	The State of Texas vs James Ferguson	Plaintiff / Defendant	Betting at A Monte
↓ 1483	The State of Texas vs Wm	Plaintiff / Defendant	Exhibiting a Gaming bank called Monte.

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

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Monday, Dec. 16th 1861.

Court convened at 9 o'clock A. M. pursuant to adjournment. A. N. Ferrell, 2d. District Judge presiding. Whereupon the following proceedings were had by said Court, to wit:

2217 — John M. Thomas vs. Mary A. Thomas — Plaintiff / Defendant

And now at this day came the plaintiff to this cause by his atty, and on motion It is ordered by the Court that this cause be dismissed from the docket of this Court, that the Defendant go hence and recover of and from the plaintiff, John M. Thomas, all the cost of this suit, for which execution may issue.

1346 — The State of Texas vs. R. F. Campbell — Plaintiff / Defendant

This cause being called for trial the Defendant R. F. Campbell failing to appear and answer to the indictment in this case, he and his securities W. J. Cain and P. R. Turner being distinctly called at the Door of the Courthouse of Travis County, and the Defendant, after a reasonable length of time still failed to appear. And it appearing to the Court that the Defendant R. F. Campbell, with the said W. J. Cain and P. R. Turner as his securities, did execute the Bail Bond on file in this case substantially as follows: Dated 12th day of March, A.D. 1861 payable unto The State of Texas, in the sum of One Hundred Dollars, conditioned that the said Defendant R. F. Campbell make his personal appearance at the District Court of said County of Travis on the 9th Monday after the first Monday in April, 1861, to answer the Indictment preferred against the said Defendant, R. F. Campbell, by the Grand Jurors of Travis County at the Spring Term, A.D. 1861, for Playing at a game with cards in a room attached to a house for retailing spirituous liquors, commonly used 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, which said bond was forfeited, And it is considered by the Court that the State of Texas do have and recover of the said R. F. Campbell the said sum of One Hundred Dollars, and of his said securities the sum of One Hundred Dollars, and that this Judgment will be made final unless good cause be shown at the next term of this Court why the said Defendant R. F. Campbell, did not appear.

1397 — The State of Texas vs. Antonio Menchaca — Plaintiff / Defendant

This cause being called for trial the Defendant Antonio Menchaca failing to appear and answer to the Indictment in this case, he and his security, Angel Navarro being distinctly called at the Door of the Courthouse of Travis County, and the defendant, after a reasonable length of time, still failed to appear. And it appearing to the Court that the Defendant, Antonio Menchaca with the said Angel Navarro, as his security, did execute the Bail Bond on file in this Case substantially as follows: Dated 6th day of November, 1861, payable unto the State of Texas in the sum of One Hundred Dollars conditioned that the said Defendant, Antonio Menchaca make his personal appearance at the District Court of said County of Travis on the 1st Monday after the first Monday in October, 1861, to answer the Indictment preferred against the said Defendant Antonio Menchaca, by the Grand Jurors of Travis County, at the Spring Term, A.D. 1861, for Betting at a gaming Bank called

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pend, and there remain from day to day and from term to term of said Court, and that he do not depart thence without leave of said Court, which said bond is forfeited. And it is considered by the Court that the State of Texas do have and recover of the said Antonio Menchaca, (and the said Navarro) the said sum of One Hundred Dollars, and that this Judgment will be made final unless good cause be shown at the next term of this Court why the said Defendant, Antonio Menchaca, did not appear. And for this order that Citation do issue to the said County.

1414 The State v. W L Chalmers. Continued on the affidavit of the Defendant
1415 The State v. W. L. Chalmers. Continued on the affidavit of the Defendant.
1416 The State v. W L Chalmers. Continued on the affidavit of the Defendant.
1417 The State v. W L Chalmers. Continued on the affidavit of the Defendant.
1418 The State v. Whitlock, Charlesan & McAnelly. Dismissed as to Charles and McAnelly and continued for Term as to Whitlock
1419 The State v. DeNormandie et al. Dismissed as to DeNormandie
1420 The State v. A. Menchaca. Bond of Deft. quashed, and Capias ordered to Bexar County
1428 The State v. A. Menchaca. Bond of Deft quashed, and Capias ordered to Bexar County.
1430 The State v. Pecos Valley. Cont'd for Term, and Capias ordered to Bexar County

1431 The State of Texas v. J. R. A. St. Clair. And now at this day came Thomas J. Reed, District Attorney, on behalf of the State, and also came the defendant by his attorney Charles L. Robards, Esq. And the parties having announced ready for trial there came a Jury of 12 good and lawful men of Travis County assisting of A. H. Cook, Foreman, and eleven others, who were tried, elected, empannelled and sworn according to law. And the Jury having heard the Defendants plea of guilty and the charge of the Court returned the following verdict, to wit: "We, the Jury, find the Defendant guilty, and affix the fine at ~~five~~ ten Dollars. A. H. Cook, Foreman." Whereupon, It is ordered by the Court that the State of Texas do have and recover of and from the Defendant, J. R. A. St. Clair, the said sum of Ten Dollars and the cost of this prosecution, and that a capias issue to enforce the Collection of the same.

1432 The State v. Edmund Curley. Continued for Term

1434 The State of Texas v. Frank V. Buchla. And now at this day came the District Attorney, on behalf of the State, and also came the Defendant in person, and also by attorney; and the parties announced themselves ready for trial. And then came a Jury of twelve good and lawful men of Travis County, consisting of G. W. Glascock, Foreman, and eleven others, who were tried, elected, empannelled and sworn according to law. And the Jury having heard the plea of not guilty, the evidence, the argument of counsel and the charge of the Court, retired for deliberation. Whereupon said Jury returned the following Verdict, to wit: "We, the Jury, find the Defendant Buchla guilty, and affix his fine at fifteen Dollars. G. W. Glascock, Foreman."

Whereupon, It is ordered by the Court that the State of Texas do have and recover of and from the Defendant Frank V. Buchla the said sum of Fifteen Dollars and the cost of this prosecution, and that he remain in the Custody of the Sheriff until the same be paid in full.

1435 The State v. Asa Scott. Continued for Term.

District Court Minutes, Fall Term, Dec. 16th 1861.

1436

The State of Texas vs John H. Conner

Plaintiff
Defendant

And now on this day appeared the State by her District Attorney, Thomas E. Gead, Esq. And also came the Defendant in person and also by attorney, and said Defendant submitted to the Court his motion filed to change the venue of this cause to the County of Williamson. And because it appears to the Court, from the affidavits filed, that there exists so great a prejudice against the said Conner, in Travis county, that he cannot obtain a fair and impartial trial in said County; and also that there exists a dangerous combination against said Conner in Travis county, instigated by influential persons, living in said county, by reason of which he cannot expect a fair trial, And it appearing to the Court that the town of Georgetown, the County seat of Williamson county, is the nearest County seat to the city of Austin, out of the County of Travis, It is, therefore, ordered by the Court, that the venue of said cause be changed to the County of Williamson, in the State of Texas, and that the clerk of this Court, on or before the next term of the District Court of said county, do make out a transcript of the entries in this cause and transmit the same, together with all the original papers therein to the clerk of the District Court of Williamson County, so that such proceedings may be had therein, in said Court, as to justice and equity may appertain. And thereupon appeared in Open Court, the said John H. Conner, as principal, and James A. Thompson, G. W. Glasscock, O. H. Millican and George W. Davis, as securities, and they and each of them acknowledged themselves jointly and severally, justly to owe and be indebted unto The State of Texas in the penal sum of Two Thousand Dollars, to be levied upon their respective Goods and Chattels, Lands and Tenements, But to be void, nevertheless, if the said John H. Conner shall be and personally appear before the District Court of the County of Williamson county, to be held at the Court House thereof, in the town of Georgetown on the second Monday after the third Monday in March, A. D. 1862, then and there to answer the Indictment preferred against him by the grand jurors of Travis county, at the Spring Term, A. D. 1861, for an assault upon the body of one William M. Gilleland with the intent to kill and murder him, the said Gilleland, and there remain from day to day, and from term to term, and from day to day of each term, to answer said charge, and that he do not depart the Court without leave.

1437

The State of Texas vs John H. Conner

Plaintiff
Defendant

And now on this day appeared Thomas E. Gead, Esq. District Attorney, on behalf of the State, and also came the Defendant in person and also by attorney; and said Defendant submitted to the Court his motion filed to change the venue of this cause to the county of Williamson. And because it appears to the Court, from the affidavits filed, that there exists so great a prejudice against the said Conner, in Travis county, that he cannot obtain a fair and impartial trial in said county; and also that there exists a dangerous combination against said Conner in Travis county, instigated by influential persons living in said county, by reason of which he cannot expect a fair trial, And it appearing to the Court that the town of Georgetown, the county seat of Williamson county, is the nearest county seat to the city of Austin, out of the County of Travis, It is, therefore, ordered by the Court, that the venue of said cause be changed to the county of Williamson,

in the State of Texas, and that the clerk of this Court, on or before the first day of the next term of the District Court of said county, do make out a transcript of the entries in this cause, and transmit the same, together with all the original papers therein, to the clerk of the District Court of Williamson county, that such proceedings may be had thereon, in said Court, as to justice and equity may appertain.

And thereupon appeared in open Court, the said John H. Conner, as principal, and James A. Thompson, G. W. Glapcock, O. H. Millican and George W. Davis, as securities, and they and each of them acknowledged themselves, jointly and severally, justly to owe and be indebted unto the State of Texas in the penal sum of Three Thousand Dollars, to be levied upon their respective Goods and Chattels, Lands and Tenements, But to be void, nevertheless if the said John H. Conner shall be and personally appear before the District Court of the County of Williamson, to be held at the Courthouse thereof in the town of Georgetown, on the second Monday in March, A. D. 1862, then and there to answer the Indictment preferred against him by the grand jurors of Travis County, at the Spring Term, A. D. 1861, for the murder of one Phillip Mendoza, and there remain from day to day, and from term to term, and from day to day of each term, to answer said charge, and that he do not depart the Court without leave.

1438

The State of Texas vs. John H. Conner — Plaintiff, Defendant

And now on this day appeared Thomas E. Sneed, Esq. District Attorney on behalf of the State, and also came the Defendant, in person, and also by attorney, and said Defendant submitted to the Court his motion filed to change the venue of this cause to the County of Williamson. And because it appears to the Court, from the affidavits filed, that there exists so great a prejudice against the said Conner, in Travis county, that he cannot obtain a fair and impartial trial in said County; and, also, that there exists a dangerous combination against said Conner, in Travis county, instigated by influential persons, living in said county, by reason of which he cannot expect a fair and trial. And it appearing to the Court that the town of Georgetown, the county seat of Williamson county, is the nearest county seat to the city of Austin out of the County of Travis. It is, therefore, ordered by the Court, that the venue of said cause be changed to the County of Williamson, in the State of Texas, and that the Clerk of this Court, on or before the first day of the next term of the District Court of said county, do make out a transcript of the entries in this cause, and transmit the same, together with all the original papers therein, to the clerk of the District Court of Williamson County, so that such proceedings may be had therein, in said Court, as to justice and equity may appertain.

And thereupon, appeared in open Court, the said John H. Conner, as principal, and James A. Thompson, G. W. Glapcock, O. H. Millican and Geo. W. Davis, as securities, and they and each of them acknowledged themselves, jointly and severally, justly to owe and be indebted unto The State of Texas in the penal sum of Two Thousand Dollars, to be levied upon their respective Goods and Chattels, Lands and Tenements. But to be void nevertheless, if the said John H. Conner shall be and personally appear before the District Court of the County of Williamson, to be held at the Courthouse thereof, in the town of Georgetown on the second Monday in March, A. D. 1862, then and there to answer the Indictment preferred against him by the Grand Jurors of Travis county, at the Spring Term, A. D. 1861, for the assault upon the body of one William G. Wallace, with the intent to kill and murder him, the said

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Wallace, 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.

1440 The State of Texas v. W. P. de Normandie. Dismissed as to De Normandie.
1445 The State of Texas v. Wm Tobin, et. al. Dismissed as to Robinson, and Capias ordered to Williamson and Travis counties for trial, and continued.
1446 The State v. Henry. Continued for service.
1447 The State v. Smart. Continued for service
1448 The State v. John C. Campbell. Continued by the State and attachment awarded for the witness, J. H. Bayley.
1449 The State v. Alfred Robinson, et. al. Cont'd for service and dismissed as to Robinson
1450 The State v. Alfred Robinson et. al. Cont'd for service and dismissed as to Robinson
1451 The State v. Alfred Robinson et. al. Cont'd for service and dismissed as to Robinson
1452 The State v. Fox and Jones. Continued for service.
1453 The State v. Fox and Jones. Continued for service
1454 The State v. Fox and Jones Continued for service
1455 The State v. Fox and Jones Continued for service
1456 The State v. Fox and Jones Continued for service
1457 The State v. Fox and Jones Continued for service
1458 The State v. Fox and Jones Continued for service
1459 The State v. Fox and Jones Continued for service
1460 The State v. Fox and Jones Continued for service
1461 The State v. Fox and Jones Continued for service
1462 The State v. Fox Continued for service
1463 The State v. Fox Continued for service
1464 The State v. Fox Continued for service
1465 The State v. Fox Continued for service
1466 The State v. Fox Continued for service
1467 The State v. Fox Continued for service

1468 The State of Texas & Plaintiff & John Martin & Defendant & It is ordered that attachments issue to Williamson County, in this case, for the witnesses James B. Wilhams, William Henry Alexander and Simeon Henry Alexander, on behalf of the Plaintiff. And further ordered, that this cause be set for hearing and trial, by consent of parties, on the 2d Monday of the next term of this Court.

And thereupon it appeared in open Court W. T. H. Bezely, who acknowledged himself justly to owe and be indebted unto the State of Texas in the penal sum of five hundred Dollars, to be levied upon his goods and chattels, lands and tenements, But to be void upon condition that the said W. T. H. Bezely 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 April, 1862, then and there to give evidence on behalf of the Plff. in the above entitled cause of the State of Texas v. John Martin, charged with Murder and that he there remain from day to day and from term to term thereafter, and ~~that~~ until discharged by due course of law, and that he do not depart the Court without leave.

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The State of Texas } Plaintiff. } It is ordered by the Court, on motion of the applic-
1469 vs } } ation of the defendant, under oath, that this cause
Lee a Slave } Defendant } be ~~set for trial~~ continued until the next term of
this Court. Further ordered, that writs of attachment issue in this cause to Wil-
liamson County, on behalf of the pltff. returnable to the next term, ~~on behalf~~ for the
witnesses Henry C. Harrell, A. J. Harrell and H. O. Weatherford

And now on this day appeared in open Court, Lewis, a Slave
as principal, and Lydia Robinson as security, and they acknowledged them-
selves jointly and severally, justly to owe and be indebted unto the State of Texas
in the penal sum of five hundred Dollars, to be levied upon their goods
and chattels, lands and tenements, But to be void, nevertheless, upon condition
that the said Lewis, a Slave, belonging to Mrs. Lydia Robinson, do personally
appear before the District Court of Travis county, to be held at the Court House
thereof, in the City of Austin, on the 9th Monday after the first Monday
in April, 1862, then and there to remain from day to day and from term
to term, and from day to day of each term thereafter, to give evidence on
behalf of the pltff. in the above entitled cause of the State of Texas v. Lee,
a Slave, charged with Murder, and that he do not depart the Court
without leave.

And now at this day came N. S. Tisdale, James G. Harrell,
J. W. Graham & Lydia Robinson, and each of said persons acknowledged himself
justly to owe and be indebted unto The State of Texas in the penal sum of five
hundred Dollars each, to be levied upon their respective Goods and Chattels,
Lands and Tenements, But to be void upon condition that the said witnesses
appear personally before the District Court of Travis county, to be held at the
Court House thereof, in the City of Austin, on the 9th Monday after the first
Monday in April, 1862, then and there to remain from day to day and
from term to term, and from day to day of each term thereafter, to give
evidence on behalf of the pltff. in the above entitled cause of the State of
Texas v. Lee, a Slave, charged with Murder, and that he do not depart
the Court without leave

And at this day came Lafayette G. Ford, Mary C. Ford,
and Phoeba A. Jones, and each of said persons acknowledged himself
justly to owe and be indebted unto The State of Texas in the penal sum of
five hundred Dollars, to be levied upon their goods and chattels, lands and
tenements, But to be void upon condition that the said witnesses appear perso-
nally before the District Court of Travis county, to be held at the Court House
thereof, in the City of Austin, on the 9th Monday after the first Monday
in April, 1862, then and there to remain from day to day and from term to
term, and from day to day of each Term, thereafter, to give evidence on
behalf of the ~~pltff~~ in defendant in the above entitled cause of The
State of Texas v. Lee, a Slave, charged with Murder, and that he do
not depart the Court without leave.

The State of Texas } Plaintiff } On motion It is ordered by the Court,
1468 vs } } that the recognizances entered into by
John Martin } Defendant } the witnesses A. B. Emmons, Robert
Shaw, Wm. C. Lumdum, M. L. Irvin, George Thompson, John Bryson, John
W. Lane, John Tyler, W. L. Williams & James Hamilton, ~~& Wm. Hemington & J. Bryson~~ in behalf of the
State in Williamson County District Court, be quashed and set aside because

District Court Minutes, Fall Term, Dec. 18th 1861.

of their insufficiency. And thereupon the said witnesses, A. B. Townsend, Robert Shaw, Wm C Condon, M. F Jordan, Geny Thomson, John Bryson, John W. Lane, John Tyler W. S. Williams, James Hamelton, G M Hamelton and F. A Gardner, appeared in open Court, and they and each of them acknowledged themselves justly to owe and be indebted unto The State of Texas in the sum of Five Hundred Dollars each, to be levied upon their goods and chattels, lands and Tenements, But to be void on condition that they appear at the next term of the District Court of the County of Travis to be held at the Court House thereof in the City of Austin on the 4th Monday after the first Monday in April, 1862, then and there to give evidence on behalf of the plaintiff in the above entitled cause of The State of Texas v John Martin, charged with Murder, and that they there remain from day to day and from term to Term, and from day to day of each term, to testify as aforesaid, and that they do not depart the Court without leave.

And thereupon Henry Lane, Philip Lawrence, Samuel Slaughter Sarah Dyches appeared in open Court, and they and each of them acknowledged themselves justly to owe and be in debt to unto The State of Texas in the penal sum of Five Hundred Dollars each to be levied upon their good and Chattels Lands and Tenements, But to be void upon condition that the said witnesses 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 April, 1862, then and there to give evidence on behalf of the defendant in the above entitled cause of The State of Texas v John Martin charged with Murder, and that they there remain from day to day and from term to Term and from day to day of each term to testify as aforesaid, and that they do not depart the Court without leave

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

Thursday 17 Dec 1861

Court convened at 9 o clock A M and adjourned till to-Morrow morning at 9 o clock

Wednesday 18 Dec. 1861.

Court convened at 9 o clock A. M. pursuant to adjournment. Whereupon the following proceedings were had by said Court, to wit— And Court adjourned till to morrow morning at 9 o clock

Thursday 19th Dec. 1861.

Court convened at 9 o clock A M pursuant to adjournment. A W Terrell 2d District Judge presiding. Whereupon the following proceedings were had by said Court to wit

The State of Texas } Plaintiff
v. } 2141
R. F. Campbell } Defendant

And now on this day came Thomas E. Jones Esq District Attorney on behalf of the State and also came the Defendant by attorney and by motion and by consent it is ordered by the Court that this prosecution be set aside, vacated and held for naught

that the Cause be dismissed from the docket, and that the Defendants, R. F. Campbell J. M. Wilkins and J. H. Finney pay the cost of the proceeding for which execution may issue.

1346 The State of Texas v. R F. Campbell. And now at this day appears Thomas E. Breed, Esq. District Attorney, on behalf of the State, and also came the defendant by his attorney R G Campbell, Esq and announced herein ready for trial. And thereupon by consent and in motion of the District Attorney It is ordered by the Court that the forfeiture entered in this cause at a former day of the present term of this Court be set aside, vacated and held for naught. And thereupon came a jury of twelve good and lawful men of the County of Travis, who were elected, tried empannelled and sworn according to law. And the jury having heard the plea of guilty and the Charge of the Court returned the following verdict to wit. "We the Jury find the deft. Campbell guilty and assess the fine at Ten Dollars. John Sleffer foreman." Whereupon It is ordered by the Court that the State of Texas do have and recover of and from the defendant R F. Campbell the said sum of Ten Dollars and the cost of the prosecution and that a capias issue to enforce the Collection of the same.

1414 The State of Texas v. W. K. Chalmers. And now at this day came Thomas E. Breed, Esq. District Attorney, on behalf of the State, and also came the defendant, W. K. Chalmers, by his attorney, H W. Chandler, Esq. And thereupon by consent the continuance entered in this cause at a former day of the term is set aside and the parties announced theready for trial. And thereupon came a Jury of twelve good and lawful men of Travis county, consisting of John Sleffer, foreman, and eleven others, who were tried, elected, empannelled and sworn according to Law. And the Jury having heard the defendants plea of guilty and the charge of the Court, returned the following verdict to wit: "We the Jury, find the deft. Chalmers guilty and assess the fine at Ten Dollars. John Sleffer, foreman." Whereupon It is ordered by the Court that the State of Texas do have and recover of and from the Defendant, W. K. Chalmers the said sum of Ten Dollars and the cost of the prosecution and that he remain in the custody of the Sheriff until a capias issue to enforce the collection of the same.

1415 The State v. W K Chalmers et al Dismissed as to Chalmers
1416 The State v. W K Chalmers et al Dismissed as to Chalmers
1417 The State v. W K Chalmers et al Dismissed as to Chalmers

1470 The State of Texas } Plaintiff } And now at this day appeared in
& } open Court the parties by their
D D Jenny } Defendant } attorneys and the defendant ab-
hairing in person, and said Defendant submitted to the Court his motion to continue the cause supported by affidavit. And the same being duly considered. By the Court It is ordered that the said cause be continued to the next term of this Court.

And thereupon appeared in open Court the

District Court Minutes, Fall Term Dec 19th 1861

witnesses John Oliver, Wm Favor, Wm A. Abbott, Richard Favor and Jacob Kyle, with John Oliver as security for said Jacob Kyle and David Waller and Joseph Thing, and they and each of them acknowledged themselves justly to owe and be indebted unto The State of Texas in the sum of Five Hundred Dollars each, to be levied upon their goods and chattels lands and Tenements, But to be void on condition that said witnesses appear before the Hon. District Court of Travis county, to be held at the Court House thereof in the City of Austin on the 4th Monday after the first Monday in April A.D. 1862, then and there to give evidence on behalf of the plaintiff in the above entitled cause of The State of Texas vs. John Martin, charged with Murder, and that they then remain from day to day and from term to term and from day to day of each Term thereafter to give evidence as aforesaid until discharged by due course of law, and that they do not depart the Court without leave

And Thereupon appeared in open Court William Favor who acknowledged himself justly to owe and be indebted unto The State of Texas in the penal sum of Five Hundred Dollars to be levied upon his Goods and Chattels Lands and Tenements But to be void upon condition that the said William Favor make his personal appearance at the next term of the District Court of the County of Travis to be held at the Court House thereof in Austin on the 4th Monday after the first Monday in April 1862, then and there to give evidence on behalf of the Defendant in the above cause of The State of Texas vs John Martin, charged with Murder, and that he do not depart the Court without leave

1471 — The State of Texas vs I. L. Stubblefield — Plaintiff / Defendant — Into Court at this day came Thomas J. Devine, Esq. District attorney on behalf of the State and also came the defendant Stubblefield in person and also by Attorney. And thereupon the parties respectively announced ready for trial. Thereupon came a jury of twelve good and lawful men of Travis county consisting of the following persons to wit: H. Stanley, E. P. Hill, J. J. Pitt, C. C. Browning, E. S. Berry, Sam. Harris, T. J. Thompson, J. B. Thaxton, E. Raven, D. C. Sheek, James Sims & C. Krohn who were tried, elected impannelled and sworn according to Law. And thereupon the defendant entered the plea of not guilty to the Charges contained in the Indictment. And the jury having heard the Indictment read, the evidence introduced in the case, the argument of the counsel, and the charge of the Court, returned into Court the following verdict, to wit: "We the jury find the defendant Stubblefield guilty of the within charge, and assess the punishment at two years imprisonment in the State Penitentiary. Dec 19th, 1861. E. P. Hill Foreman."

1471 — The State vs Cook, Ind. Continued as to Cook

District Court Minutes, Fall Term, Dec 20 1861

1472 The State v. James Austin Continued for terms and attachment awarded to Caldwell County for L. W. Harris

1473 The State v. Amos Morell. It is ordered by the Court that this cause be continued the cause of the absence of the witness Jack Luckett and whereon ordered that an attachment issue for said witness returnable to the next term and that said witness be fined twenty five Dollars for failing to appear and testify in the case being duly subpoened for that purpose and that scire facias issue to show cause why the said fine should not be made final.

1474 The State v. Fred Kirk. Continued for terms, and cause awarded to Hill county.

1477 The State v Wm. Boyd. Continued generally and Bail fixed at $1000
1478 The State v Symes Continued for terms and Bail fixed at $1000
1479 The State v. Jackson Continued for terms and bail fixed at $1000
1480 The State v. John Pettit Continued for terms and bail fixed at $500
1482 The State v. James Boyman Continued for terms
1483 The State v. Robin Continued for terms

1481 The State of Texas } Plaintiff
v
John a Mexican } Defendant

And now at this term to wit: on the 16th Dec 1861 came Thomas S Shaw Esq Dist. Atty on behalf of the State and came the defts in person and by attorney C L Robards appointed by the Court and announced ready for trial and thereupon a Jury of 12 good and lawful men of Travis county consisting of A K Spencer and seven others who were duly elected empannelled and sworn according to law. And the Jury having heard the defendants plead not guilty the evidence and the charge of the Court returned the following verdict, to wit" We the Jury find the defendant John Smith and assess the fine at ten Dollars A K Spencer Foreman." Whereupon It is ordered by the Court that the State of Texas do have and recover and from the defendant John a Mexican the said sum of Ten dollars and the cost of the prosecution and that he remain in the custody of the Sheriff until the same be paid in full.

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

Saturday, Dec. 21, 1861.

Court convened at 9 o'clock, A. M. pursuant to adjournment. A. N. Finell 2d District Judge presiding. Whereupon the following proceedings were had by said Court to wit

1475 The State v. Jesse Wood. And now at this day came the parties by attorney; and the defendant withdrew his exceptions to the Indictment in this case. And the same being argued by counsel, and It is ordered by the Court that the same be overruled. And thereupon the cause is continued as upon the application of the

District Court Minutes, Fall Term, Dec 21 1861

1476 The State v. Sam. Wood. And now at this day appeared the parties by attorney; and the defendants Counsel submitted to the Court the exceptions to the Indictment; and the same being fully considered It is ordered by the Court that the same be overruled. And thereupon, on motion, the cause is continued & upon the application of the

1436 The State of Texas } Plaintiff
v. } And now at this day appeared in open
John H Cumm } Defendant } Court H C Holmes, Fred. Cardin, W. W. Roberts,

and they and each of them acknowledged themselves justly to owe and be indebted unto the State of Texas in the penal sum of Five Hundred Dollars each, to be levied upon their Goods and Chattels, Lands and Tenements. But to be void upon condition that they appear at the next Term of the District Court of Williamson County, to be held at the Courthouse thereof in the town of Georgetown on the Second Monday in March, 1862, then and there to give evidence on behalf of the Plaintiff in the above entitled Cause of The State of Texas v. John H. Cumm and that said recognizance remain from day to day and from term to term, and that they do not depart the Court without leave, until discharged by due course of law.

1437 The State of Texas } Plaintiff
v. } And now at this day appeared in open Court
John H Cumm } Defendant } H C Holmes, Fred. Cardin, W. W. Roberts,

and they and each of them acknowledged themselves justly to owe and be indebted unto The State of Texas in the penal sum of Five Hundred Dollars each to be levied upon their Goods and Chattels, Lands and Tenements. But to be void upon condition that they appear at the next Term of the District Court of Williamson County, to be held at the Courthouse thereof in the Town of Georgetown on the 2d Monday in March 1862, and then remain from day to day and from term to term until discharged by due course of law to give evidence on behalf of the Plaintiff in the above entitled cause of The State of Texas v. John H. Cumm and that they do not depart the Court without leave

1438 The State of Texas } Plaintiff
v. } And now at this day appeared in open
John H Cumm } Defendant } Court H C Holmes, Fred. Cardin, W. W. Roberts

and they and each of them acknowledged themselves justly to owe and be indebted unto The State of Texas in the penal sum of Five Hundred Dollars, to be levied upon their Goods and Chattels, Lands and Tenements, But to be void upon condition that they appear at the next term of the District Court of Williamson County, to be held at the Courthouse thereof in the Town of Georgetown on the 2d Monday in March 1862, and then remain from day to day and from term to term until discharged by due course of law to give evidence on behalf of the Plaintiff in the above entitled cause of The State of Texas v. John H. Cumm, and that they do not depart the Court without leave

District Court Minutes, Fall Term, 1861.

Ex Parte. Application to become a Slave and to enslave her Grand children to Mrs. Martha Nichols, by the free Slave Woman Patty

And now on this day came on to be heard the application of Patty, a free person of African descent, on behalf of herself and her five grand children also free persons of African descent, to become the Slaves for life of Mrs. Martha Nichols wife of J. A. Nichols, of Travis county, and also that her Grand children whose names and ages are as follows, to wit: be made the Slaves for life of the said Mrs. Martha Nichols: Eliza of the age of about seven years, who is the daughter of Fanny, now deceased, said Fanny was the daughter of the applicant Patty; Bill, of the age of twelve years, Sandy, who is of the age of eight years; Dave, who is of the age of two years, and Adam who is of the age of three years, the four last named being the children of Sally a free person of African descent, and the daughter of the applicant Patty. And it appearing satisfactory to the Court that upon the filing of the application of the said Patty, that the notice required by law had been posted up by the Clerk of this Court, and that the proof required by law had been duly given and served. And the said Patty appearing in open Court, as well as the said Eliza, Bill, Sandy Dave and Adam, also the subscribing witness to the petition in this case, and the other witness in the cause; and it satisfactorily appearing to the Court from an examination of the applicant, and the other witness in the case that the said application on the part of the said Patty was voluntary, and that she really desired of her own will & consent, freely and voluntarily to become a Slave to the said Mrs. Martha Nichols, for life; and it further appearing that the said Patty is the grandmother of the said Eliza, Bill, Sandy, Dave & Adam, and that their mothers are dead, and that said Patty is the nearest relative of the said children and also their next friend; and it also appearing to the Court that the said Mrs. Martha Nichols is willing to become the mistress of said slaves. Therefore, It is ordered, adjudged and decreed by the Court, that the prayer of the said Petitioner be granted, and that the said Patty be and she is hereby decreed to be a Slave for life and the Slave of the said Mrs. Martha Nichols, who is hereby vested with the full title in and to the said Patty. And it is further ordered, adjudged and decreed by the Court that the said Eliza, Bill, Sandy, Dave and Adam be & Slaves for life, and the property of the said Mrs. Martha Nichols, and that she, the said Martha Nichols be, and hereby is, vested with the full title, ownership possession and control of each of the said slaves, as fully and completely as if the said Negroes had been from slaves to her the said Martha Nichols, and as fully as by the laws of this State they can or may be adjudged to her and to heirs and assigns forever. And it is further ordered, adjudged and decreed that the said Martha Nichols pay all the costs of this proceeding for which execution may issue.

Ex Parte. Rachel Hamilton and her child Jim

And now on this day came on to be heard the application of Rachel Hamilton a free person of African descent on behalf of herself and her child Jim, also a free person of African descent, to become the Slaves for life of Aaron Burleson of Travis County, the said Rachel being of the age of about 22 years and her child Jim of the age of about two years. And it appearing to the satisfaction of the Court that upon the filing of the application of the said Rachel that the notice required by law had been posted up by the Clerk of this Court, and that the proof required by law had been duly given, and the said Rachel appearing in open Court, also the subscribing witnesses to the petition in the

District Court Minutes, Fall Term, Dec 23d 1861

case, and it satisfactorily appearing to the Court from an examination of the applicant, and the witnesses in the case that the said application on the part of the said Rachel was voluntary, and that she really desired of her own will and consent, freely and voluntarily, to become a slave to the said Aaron Rudasill for life. And it further appearing that the said Rachel is the mother of the said child Ami, and it also appearing to the Court that the said Aaron Rudasill is willing to become the master and owner of said slaves Rachel and Ami,

It is, therefore, ordered, adjudged and decreed by the Court that the prayer of the said petitioner be granted, and that the said Girl Rachel, and her child Ami be, and they are hereby decreed to be slaves for life xxx of the said Aaron Rudasill, who is hereby vested with the free title, ownership and property in and to the said Rachel and her child Ami. And it is further ordered, adjudged and decreed by the Court that the said Rachel as fully and completely as if the said negroes had been born slaves to the said Rudasill, and as fully as by the laws of this State they can or may be adjudged to him and to his heirs and assigns forever.

And it is further ordered, adjudged and decreed that the said Aaron Rudasill pay all the cost of this proceeding for which execution may issue.

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

Monday, Dec. 23d 1861.

Court convened at 9 o'clock, A. M. pursuant to adjournment. A. W. Terrell, 2d District Judge presiding. Whereupon the following proceedings were had by said Court, to wit:

1471

The State of Texas vs. J. L. Stubblefield, et al — Plaintiff vs. Defendant

And now on this day the Defendant J. L. Stubblefield being brought present before the Court in person, and asked by the Court whether he has anything to say why judgment should not be rendered and sentence pronounced against him, and having shown no grounds, and saying that he had nothing to say, why the judgment & sentence should not be rendered and pronounced, Therefore, It is ordered and adjudged by the Court that he, the said Stubblefield is guilty of an Assault with intent to kill and murder Jno. Combs. And further adjudged that he be punished by confinement in the Penitentiary of the State of Texas for the term of two years, as found in the verdict of the jury. And further ordered that the Sheriff of Ellis County, do, without delay, convey the body of the said Stubblefield to the said Penitentiary and deliver the same to the Superintendent thereof, taking his receipt therefor, in accordance with law.

District Court Minutes, Fall Term, Dec. 23d 1861

Report of Jury Fund at the Fall Term, 1861, of the Travis County District Court.
Jury Fund Collected Since Spring Term, A.D. 1861.

No. 1324	The State of Texas	v.	Tom Chester	$ 5.00
" 1332	"	"	"	5.00
" 1323	"	"	W. B. Conway Tom	5.00
" 1325	"	"	"	5.00
" 1377	"	"	"	5.00
" 1434	"	"	F. J. Pachla	5.00
" 1329	"	"	A. Monchaca	5.00
" 1331	"	"	"	5.00
" 1326	"	"	J. W. Henderson	5.00
" 1338	"	"	"	5.00
" 1347	"	"	"	5.00
				$ 55.00
Less 2½ per cent. Commissions				1.38
				$ 53.62

The Sheriff's Report shows 220 days service and the fund amounting to $53.62½ will make the pro rata 24 cents Per day

Frank Brownlock

Report of Jury Service for the Fall Term of the District Courts of Travis county Texas.

Grand Jury

1	M. K. Ryan	4 days	$ 6.00
2	Jas. M. Tinley	4 "	6.00
3	W. B. Nichols	4 "	6.00
4	J. H. Goodrich	4 "	6.00
5	Jno. H. Wacker	4 "	6.00
6	Aaron Burleson	4 "	6.00
7	E. J. Giles	4 "	6.00
8	D. M. Baker	4	6.00
9	Chas. Hensel	4	6.00
10	W. H. Reynolds	4	6.00
11	Jackson Thompson	4	6.00
12	S. Lockwood	4	6.00
13	Thos. E. Stanley	4	6.00
14	W. A. Hanston	4	6.00
15	John H. Tuck	4	6.00
16	Geo. Sanders	4	6.00
		Petit Jurors	6.00
1	Jno. B. Banks	4	
2	A. H. Cook	4	6.00
3	Geo. Hancock	4	6.00
4	W. L. Parton	4	6.00
5	Thos. Elam	4	6.00
6	Jas. Kuttz	4	6.00
7	J. B. Reed	3	4.50
8	Thos. Bacon	4	6.00
9	Jno. Dougherty	3	4.50

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10	Saml B Rugeld	3 days	$4.50
11	A C Sheep	4	6.00
12	Wm Cusland	4	6.00
13	A J C Barnes	1	1.50
14	C N Davis	1	1.50
15	C H Millicam	1	1.50
16	J W Sleers	1	1.50
17	J A Thompson	1	1.50
18	C W Blaylock	1	1.50
19	J M McLane	1	1.50
20	J. A Cope	1	1.50
21	W H Robinson	1	1.50
22	N C Reagen	1	1.50
23	W Green	1	1.50
24	Swante Palm	1	1.50
25	L. Loomis	1	1.50
26	John Remmel	1	1.50
27	J M Harrell	1	1.50
28	C Sleufy	5	7.50
29	E P Hill	4	6.00
30	J J Pett	4	6.00
31	C Bunning	4	6.00
32	E S. Perry	4	6.00
33	Edm Harris	4	6.00
34	L J Thompson	4	6.00
35	J. D. Thacker	5	7.50
36	E Rapen	4	6.00
37	Jas Simmis	4	6.00
38	C. Krohn	5	7.50
39	John Reifox	4	6.00
40	A Bapn	4	6.00
41	Wm Gibbin	4	6.00
42	N Green	4	6.00
43	J D Gilliam	4	6.00
44	G. M. Pitt	4	6.00
45	A Holmes Jr	4	6.00
46	H. Sailor	4	6.00
47	R. Pritchard	4	6.00
48	R Bertram	4	6.00
49	J. W. Sleers	4	6.00
50	Jas. Phillips	4	6.00
51	Miles Byrne	1	1.82
		220 days	$330

T C Collins Clk pf TC
By R W Thompson Dep Clk

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The within and foregoing Minutes of the proceedings of the present Term having been examined in Open Court the same are approved and it is ordered that Court do now Stand adjourned until the next Regular Term Jan 24th 1861. A.V. Term

Judge 2nd Judicial District

//

The State of Texas }
County of Travis } Be it remembered, that on this the 10th day of May, A.D. 1862, the following named persons were drawn to serve as Jurors, at the Spring Term, 1861, of the Travis County District Court, by Frank Brown, Clerk of the District Court of Travis County, and Joel Miner, Clerk of the County Court of Travis County, in the presence of John Burleigh, J.P. Travis County, in accordance with Article No 1049, of O & M. Dig. to Certify which the afore named Officers affixed their names below, to wit: (viz)

1 W.L. Cross.
2 S.B. Somers
3 J.G. Matthews
4 W. McBride
5 Isaac Ching
6 T.N. Nolen
7 W.W. Atwood
8 Ben. Choate
9 C.M. Earnest
10 R.J. Rambeau
11 C.W. Goodrich
12 Thos. Vann
13 Charles Byrne
14 J.D. Hicks
15 A.O. Blocker.
16 T.J. Chapham? for M. Raymond
17 D.F. Waddell
18 John D. Walker
19 Wm M. Wilson
20 Aaron Burleson.
21 James Phillips
22 S.B. Bush.
23 Sam. Harris
24. James B. Shelton

John Burleigh
J.P. Travis Co. Tex.

Frank Brown,
Clk D.C. T.C.

J. Miner,
Cl'k Co. Court Travis Co

District Court Minutes, Spring Term, June 9th 1862.

The State of Texas } Be it Remembered, That on this the 9th day
County of Travis } of June 1862, the Same being the ninth Monday
after the first Monday in April, 1862 and the time appointed by Law
for the Commencement of the Spring Term of the Honorable District
Court of Travis County, the said Court began its Sessions at the
Court House thereof, in the City of Austin, pursuant to Law, Present
the Hon Thomas J. Stribling, Judge of the 4th Judicial District of
the State of Texas, presiding, Frank Brown, Clerk and Thomas C.
Cochran, Sheriff of Travis County.

The list of Grand Jurors having been duly selected
by the County Court, and the Clerk of this Court having issued the
venire summoning the jurors to attend, which said Venire having
been duly returned into Court executed, the Court ordered the clerk
to call the names of the Jurors appearing on said Venire which
was accordingly done. Whereupon the following named Jurors ans-
wered to their names, to wit:

James Casner; James Dieterich, H. C. Bengener, Thomas & Charles
McKinney; John W. Darlington; George Keisner; John A. Caldwell,
John Stefox; Joshua Patterson; Wade Henry.

And a sufficient number not appearing, the Court
ordered that the list of grand jurymen be completed by calling from the
list of petit jurors in attendance. And thereupon the following persons
answered to their names, to wit:

D. L. Crop; S. B. Somers; I. G. Matthews; Isaac Eppright;
Thomas L. Vann and James H. Raymond and D. F. Waddell.

And thereupon the Court having appointed James H.
Raymond, Foreman of the Grand Jury, the Court organized the said
Jury, their names being as follows, to wit:

1. James H. Raymond, Foreman; 2. James Casner; 3. James
Dieterich; 4. H. C. Bengener; 5. Charles B. McKinney; 6. John W.
Darlington; 7. George Keisner; 8. John A Caldwell; 9. John
Stefox; 10 Joshua Patterson; 11. Wade Henry; 12. D. L Crop;
13. S. B. Somers; 14 I. G. Matthews; 15. Isaac Eppright; 16.
Thomas L. Vann; 17. D. F. Waddell.

And thereupon the Court said Jury having been
duly empannelled, tried and sworn according to Law, they were charged
by the Court as to the duties devolving upon them, and were ordered to
retire upon a discharge of the same.

1468 The State of Texas v. John Martin. On motion of the District Attorney,
It is ordered by the Court, that the Judgment nisi entered at the last
term against J. B. Williams, in this cause, as a defaulting witness, be set
aside, vacated and held for naught.

And now on this day appeared in open Court the Grand Jury
of Travis county, duly elected, tried, empannelled, sworn and charged for
and during the present Term of this Court, and through their foreman,
James H. Raymond, presented to the Court the following Bill of Indictment, to wit:

1484 George, a Slave, charged with Murder. A true Bill. Jas. H Raymond, Foreman.
And thereupon said Jury were ordered to retire upon a further discharge of
their duties.

District Court Minutes, Spring Term, June 9th 1862.

1484 The State of Texas v. George, a Slave. Ordered, on motion, that in this cause the Clerk do issue a Special venire for fifty Jurors returnable on next Thursday morning, the 12th instant, at 9 o'clock, to serve in this cause.

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

Tuesday, June 9th 1862

Court opened at 9 o'clock, A. M. pursuant to adjournment. Present the same as on yesterday

And Thereupon the following proceedings were had by said Court, to wit:

2066 Snead & Wheaton vs. Horatio Grooms. And now on this day appeared in open Court the plaintiffs by attorney and the Defendant in proper person; and by consent and on motion of said parties, It is ordered that this cause be dismissed from the docket, and that the cost of this suit be adjudged against the Defendant Grooms

2212 Epifanio Laperda vs. James A. Thompson. And now on this day appeared James W. Smith, Esq. Atty for defendant, and produced and filed a written agreement whereby this plaintiff agrees to dismiss this suit. Wherefore, It is ordered that the said cause be dismissed from the docket, and that the cost of the same be adjudged against the plaintiff. And further ordered, on motion, that the defendant have leave to withdraw said agreement, on leaving a certified copy thereof on file.

Petition of Sylvia, free woman of color, to enslave herself and four children.

And now on this day came on to be heard the petition of the free woman of African descent, named Sylvia, praying to be allowed to Choose a master for herself and for four children, to wit: Louisa, aged about eleven years; William Lee, aged about eight years; Mary, aged about six years; and Nancy, aged about eight months, and it appearing that the said petition was filed by the Clerk of this Court on the 20th December, 1861, in which the said Sylvia states her desire to Choose Horatio Grooms, of Travis County, as an owner for herself and said children, which said petition was signed by petitioner, by making her mark, in the presence of two subscribing witnesses; And the Clerk of this Court, Frank Brown, being sworn by the Court, made oath that he gave notice of said application by posting notice at the Courthouse door of Travis county for four weeks; and the Clerk having issued summons to the proposed master, and to the petitioner Sylvia, which process returned into Court executed. And the Court having examined the said petitioner Sylvia and the said Horatio Grooms, in open Court, separately and apart from each other as well as the subscribing witness, Frank Brown and Thomas C. Collins, and having heard other evidence touching the proceeding, and the District Attorney being present at such examination; And the Court being satisfied that there is no fraud or collusion between the parties, and that the proposed master is a person of good repute, and that there exists no good reason why the prayer of petitioner should not be granted, It is, therefore, ordered, adjudged and decreed by the Court, that the prayer of the said petitioner be granted, and that the property in said Sylvia and her four children above named, as slaves, shall be vested in the said Horatio Grooms as fully and completely as though the said Sylvia and her

said Children had been born Alive to the said Horatio Goones; and the full title ownership and possession of the said girl Sylvia and of her said four children, is vested in said Horatio Goones, his heirs and assigns forever, as fully and completely as by the laws of this State they can or may be adjudged.

And Court adjourned till to morrow morning 9 o'clock

Wednesday June 11. 1862

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

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

1485 The State of Texas v. George Lynch, Forgery.
1486 The State of Texas v. Robert Smyth. Aggravated Assault.
1487 The State of Texas v. Josiah Hudson & William Hutton. Larceny of Hogs.
1488 The State of Texas v. James M. Sims. Assault with intent to Kill
1489 The State of Texas v. James Shirley Murder.
1490 The State of Texas v. Owen McInnis. Assault with intent to Kill & murder.

And thereupon the Grand Jury suggesting that there was no further business before them, they were discharged by the Court from further action.

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

Thursday June 12. 1862

Court convened at 9 o'clock, A.M. pursuant to adjournment. Present Thomas H Stubbing, Judge of the 4th Judicial District and the same clerk and Sheriff as on yesterday.

And Thereupon the following proceedings were had by said Court, to wit.

Ordered, that ~~Eugene B. Bremond~~, Thomas W. Nolen and J. B. Thaxton be fined the sum of Twenty-Five Dollars, each, for failing to answer as jurors in the case No 1484, The State of Texas v. George, a Slave, charged with Murder, they having been duly summoned, as appears by return of the Sheriff on the venire issued in said cause; and that scire facias do issue to each of said persons, 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 nisi should not be made final against them.

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

Friday, June 13th, 1862.

Court opened at 9 o'clock, A. M. pursuant to adjournment. Present the same Judge and Officers as on yesterday.

1484 The State of Texas } Plaintiff
v.
George, a Slave } Defendant

And now at this Term came Thomas E. Sneed, Esq. District Attorney, who represents the State in this behalf; and also came the Defendant George in his own proper person, and also by his attorney, C. S. West, Esq. And thereupon

District Court Minutes, Spring Term, June 13th 1862

the parties announced themselves ready for trial. And Thereupon came a jury of twelve good and lawful men of the County of Travis, to wit: A. P. Blocks, Aaron Burleson, Sam. Harris, J. D. Sucks, U. D. Ezell, A. H. Cook, W. T. Patterson, C. M. Hurst, James H. Matthews, Hannibal Nichols Edward Sellers and John Robb, who were tried, elected, empannelled and sworn according to Law. And Thereupon the Defendant being arraigned, pleads not guilty to the indictment and the charge contained therein, exhibited against him. And thereupon the jury having heard the said plea, the Evidence introduced by the parties, the argument of the Counsel, and being Charged by the Court, as to the Law, retired for deliberation. Whereupon the Jury returned into Court the following verdict, to wit:

"We, the jury, find the defendant, George, guilty
" of Murder as Charged in the indictment, We further find that the def-
" endant George is the property of William R. Lomt, and that the said
" W. R. Lomt did not attempt to Evade or defeat the execution of the Law
" as to the said George, and that said boy George is of the value of One
" Thousand Dollars. June 13th, 1862. Aaron Burleson, foreman."

1485 The State of Texas v. George Lynch. This cause continued on the statement of the District Attorney, and bail fixed, on motion, at $800

1487 The State of Texas v. Josiah Hudson & Wm. Hudson. Bail fixed at $1000 each
1488 The State of Texas v. James M. Sims Bail fixed at $1000
1490 The State of Texas v. Owen Adkins Bail fixed at $1000

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

Monday June 16th 1862. Court opened at 9 o'clock, a m when the following proceedings were had: Judge Thos. H. Stribling presiding.

1484 The State of Texas } Plaintiff
v.
George, a Slave } Defendant

And now on this day came into Court the District attorney on behalf of the State, and the Defendant George appeared in person and also by attorney; and said Defendant George, by his counsel, submitted his motions for a new trial and in arrest of the Judgment in this cause. And said motions being argued by counsel and the same being duly considered, It is ordered by the Court that the said motions be overruled

1454 The State of Texas } Plaintiff
v.
George, a Slave } Defendant

And now on this day the Defendant George, a Slave, the property of W. R. Lomt, being brought present before the Court, in person, and is asked by the Court whether he has any thing to say why Judgment should not be ordered and sentence pronounced against him; and having shown no grounds to arrest the Judgment or sentence, It is Considered and adjudged by the Court, that he the said George, a Slave, the property of W. R. Lomt, is guilty of the Murder of John Hennessy in the County of Travis, a person of sound mind and memory. And Thereupon, It is adjudged and decreed by the Court, that the said boy George, a Slave, the property of W. R. Lomt, be committed to the county jail of Travis county, and there safely to be kept by the Sheriff of Travis county, until Friday, the 25th day of July, 1862, on which day, ~~the~~ between the hours of Eleven o'clock, a. m. and ~~12~~ one set, ~~o'clock, P M~~, the said boy George, a Slave shall be hanged by said Sheriff, by

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the neck, until he is dead, within the walls of said Jail provided said Jail is so constructed that a gallows can be erected therein, and if said sentence of death shall be executed within the walls of the jail aforesaid, then the said Sheriff shall notify any number of physicians or surgeons, not exceeding six, any number of justices of the peace of Travis county not exceeding four, and any number of freeholders of said county not exceeding six, any or all of whom may be present, together with such deputies of the Sheriff as he may require to be in attendance when the said penalty of death is executed. And it is further ordered that a death warrant do issue, in accordance with law, requiring the Sheriff to execute the requirements of the Judgment and Sentence in this cause

Alice Knight } Plaintiff
Robert Knight } Defendant

And now on this day came on to be heard the motion of the plaintiff to be allowed alimony during the pendency of this suit which motion was submitted to the Court upon affidavits filed and upon the statements of witnesses under oath before the Court. And it appearing that the plaintiff is entirely destitute of any means of support save her labor - and it further appearing that the defendant has means to a limited extent and is able to contribute to her temporary support. It is therefore ordered, adjudged and decreed that the said Defendant pay for such purpose the sum of Four Dollars per month payable monthly - the first instalment to be paid on the first day of July 1872, and monthly thereafter until the further order of this Court or until the case shall be finally disposed of. And it is adjudged and decreed that the said plaintiff do have and recover said sum of four dollars per month

Jury Report

The State of Texas } To the Judge of the District Court of Travis county
County of Travis } The undersigned Clerk of said Court respectfully submits the following Report of Jury Service at the Spring Term, 1872, of the District Court of Travis county

Grand Jurors

1 James H Raymond	3	$4.50
2 James Cashier	3	4.50
3 James Dieterich	3	4.50
4 H. C. Burgner	3	4.50
5 Charles C. McKinney	3	4.50
6 John W Darlington	3	4.50
7 Geo Hansen	3	4.50
8 John A. Caldwell	3	4.50
9 John Nelson	3	4.50
10 Wade Henry Joshua Patterson	3	4.50
11 Wade Kenny	3	4.50
12 D. C. Croft	3	4.50
13 S. P. Somers	3	4.50
14 D. G. Meadows	3	4.50
15 Isaac Epperson	3	4.50
16 Thomas L. Vann	3	4.50
17 D. F. Waddell	3	4.50

Petit Jurors

1 A. P. Blocker	3	4.50
2 Aaron Burleson	3	4.50

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3	Sam Harris	3	4.50
4	I D Fuelle	3	4.50
5	H M C Bride	5	7.50
6	W Walwood	5	7.50
7	Em Earnest	5	7.50
8	Miles Byrne	5	7.50
9	John A. Walker	6	7.50
10	James Phillips	5	7.50
11	B W Brown	5	7.50
12	James N Roberts	2	3.00
13	R Smith	4	6.00
	Total	104 days	156.00

Jury fee collected State of Texas v. J. L. Allen $5
per Data 5 cents. Sunday

Frank Thorn, Clk

X

The foregoing minutes of the proceedings of the present Term having been examined and approved — It is ordered that this Court do now stand adjourned until the next regular Term

Thos H Stribling
Judge of the 4th Judicial District
Presiding

District Court Minutes, Fall Term, Dec. 8th 1862.

The State of Texas } Be it remembered, that at a Term of the District
County of Travis } Court begun and held at the City of Austin, on the 9th
Monday after the first monday in October, 1862, the same being the 8th day of Dec-
ember, 1862. Present, the Hon. A. S. Walker, Judge of the 17th Judicial Dis-
trict of the State of Texas presiding, R. McKnight, District Attorney of the 2d
Judicial District, Frank Brown, District Clerk of Travis county and Thos. C.
Collins, Sheriff of Travis county — Whereupon the following proceedings were had
by said Court, to wit:

The County Court having selected the Grand Jury in accordance with law, and the venire having been duly issued and returned into Court executed, Ordered, that the Sheriff do call the names of those persons appearing on said venire. Whereupon the following persons appeared in answer to said call, to wit: T. W. Nolen, C. S. Berry, J. L. King, N. B. Nichols, J. Harrell, C. Spalding, Alfred Smith and John Baker, eight in number, who were sworn as to their qualifications to act as grand jury men, and being found qualified, were elected. And because a sufficient number of those selected to serve does not appear, It is ordered that the Clerk issue a Venire for nine jurors, to be in attendance to-morrow morning to complete the panel.

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

Tuesday, December 9th, 1862.

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

The Special Venire ordered on yesterday for nine persons to complete the panel of grand jurymen, having been duly issued and returned into Court executed, the Court ordered the Sheriff to call their names. Whereupon the following persons answered, to wit: J. B. Thaxton, John Bremond, Sr, D. Hurst; John Robinson, D. Walsh, J. T. Miller and Edward Sanders, and the said special venire having been duly sworn as to their qualifications, were ordered to complete the panel. Whereupon the above named persons, summoned in the Regular Venire and the Special Venire, were constituted the grand jury for and during the present Term of the District Court of Travis county, and were duly sworn, empannelled and charged according to law as such Grand Jury, Alfred Smith being appointed foreman. The names of said Grand Jury so selected, summoned, tried, empannelled and sworn are as follows, to wit: 1 Alfred Smith, Foreman; 2. T. W. Nolen; 3 C. S. Berry; 4 J. L. King; 5 N. B. Nichols; 6 J. Harrell; 7 C. Spalding; 8 John Baker; 9 J. B. Thaxton; 10. John Bremond, Sr.; 11 D. Hurst; 12 John Robinson; 13 D. Walsh; 14 J. T. Miller; 15 C. Sanders.

And thereupon said Grand Jury were duly charged by the Court, as to the duties devolving upon them, in accordance with law, and were ordered to

Ordered, that the Criminal Docket be set for hearing and trial on next Thursday morning at 9 o'clock, the 11th instant.

1469 The State v. Lee, et Alare. Ordered, that a Special Venire do issue, in this cause, returnable on next Thursday morning at 9 o'clock, for thirty-six jurors.

1489 The State of Texas v. James Hurley. Ordered that a Special Venire do issue in this cause returnable on next Thursday afternoon at 2 o'clock, P.M. for thirty-six Jurors.

And Court adjourned till Thursday morning at 9 o'clock

District Court Minutes, Fall Term, Dec. 11th 1862

Thursday, December 11th 1862

Court convened at 9 o'clock, A. M. pursuant to adjournment. Present the same as on Tuesday.

And thereupon the following proceedings were had by said Court, to wit:

2179 W. D. Scott v. J. M. Stennis. And now on this day came the parties to this cause by attorney. Whereupon, on motion, and by consent of said parties, It is ordered that this cause be dismissed from the docket, and that the cost thereof be adjudged against the plaintiff, for which execution may issue, at the expiration of the limitation for the issuance of executions.

1469 The State of Texas v. Lee & Shore. This cause continued by consent of parties

1489 The State of Texas v. J. Hurley. And now at this day came the District Attorney, R. McRight, on behalf of the State, and also came John Hancock & G. Isaac, Esq. of counsel for defd. and on motion, and by consent, It is ordered that Dr. J. M. Litten, Dr. E. O. Ruffin, C. G. Keenan, M. D. and Thos. C. Cochin, Esqr. be appointed a commission to inquire into the alleged insanity of the defendant in this case, to report at two and one half o'clock, P.M. to-day. Upon the report of said committee, the cause was continued

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

Friday, December 12th, 1862.

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

And now at this day came and appeared in open Court the Grand Jury of Travis county, duly elected, tried, empannelled, sworn and charged for and during the present term of this Court, and through their foreman, Alfred Smith, presented to the Court the following Bills of Indictment, to wit:

1491 The State of Texas v. Charles Rayner. Indictment for Theft.

1492 The State of Texas v. William McCutcheon. Assault with intent to Kill & murder

1493 The State of Texas v. R. L. Tomes. Wantonly Killing Swine

1494 The State of Texas v. Mark Poag. Cutting Timber from land not his own

1495 The State of Texas v. Mark Poag. Cutting Timber from land not his own

1496 The State of Texas v. J. P. Neal. Placing negroes on farm without having an Overseer on the farm

And the Grand Jury say further that there was further business before them they were ordered to retire.

1489 The State of Texas } Plaintiff
v.
James Hurley } Defendant

In this cause on this day came the attorneys for the defendant, who stands charged by indictment in this Court, with the offence of Murder, and suggest to the Court that said Defendant, James Hurley, is insane, Whereupon came a Jury of twelve good and lawful men of the County of Travis to wit: Leander Brown, F. Heiney, N. Dawson, Rafael Manchaca, H. Green, A. C. Jones, Geo. Heisner, J. D. Packard, R. Smith, A. McMillan, W. Gibbins & A. Bahn, who being duly elected, empannelled and sworn to try the issue joined and who having heard the evidence and charge of the Court, retired to consider of their verdict, & on this the day afore said returned into Court the following verdict, to wit: "We, the Jury, find the defendant James Hurley is insane. Leander Brown foreman." Whereupon, It is ordered, adjudged

District Court Minutes, Fall Term, Dec 11 1862

and decreed by the Court that the Sheriff of this County of Travis, take safely the said James Henley, so charged as aforesaid and found in our aforesaid, at his earliest convenience, and convey him to the State Lunatic Asylum And it is further ordered, adjudged and decreed by the Court, that the said James Henley be safely and securely detained in said Asylum, as a Lunatic, until the further order of this court. And it is further ordered that the Clerk of this court furnish said Sheriff with a certified copy of these proceedings, to be delivered with said accused, to the Superintendent of said Asylum.

1491 The State of Texas } Plaintiff
v.
Charles Payne } Defendant

And now on this day appeared in open Court the defendant, Charles Payne, as principal, and O. V. Eggleston and Washington T. Norton as securities, and they and each of them acknowledged themselves jointly and severally justly to owe and be indebted unto The State of Texas in the penal sum of Fifteen Hundred Dollars, to be levied upon their respective goods and chattels, lands and tenements, But to be void, nevertheless, upon condition that the said Charles Payne be and personally appear before the Honorable District Court of Travis county, to be holden at the Courthouse thereof in the city of Austin, on the ninth Monday after the first Monday in April, 1863, then and from term to term thereafter, to answer the indictment preferred against him by the Grand Jury of Travis county, at this the fall term of the District Court of said county, 1862, for the offence of Theft and there personally remain until discharged by due course of law, and that he do not depart the Court without leave.

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

Monday, Dec. 11. 1862

Court convened at 9 o'clock, P.M. pursuant to adjournment. Present the Hon. A. J. Walker, Judge of the 17th Judicial District presiding and Frank Brown, clerk & Tom C. Collins, Sheriff.

And now at this day appeared in open Court the Grand Jury of Travis County duly elected, tried, empannelled, sworn and charged and during the present term of this Court, and thereupon their foreman, Alfred Smith presented to the Court the following Bills of Indictment, to wit

1497 The State of Texas v. J. Packett. Stealing a Beef Steer
1498 The State of Texas v. Richard Davis. Assault & Battery
1499 The State of Texas v. John Saunders. Assault & Battery
1500 The State of Texas v. D D Canning Gm. Assault with intent to Kill and murder.
1501 The State of Texas v. Charles Payne. Theft.

And thereupon, the Grand Jury having reported to the Court that there was no further business before them, they were discharged, first entering that all bills returned by them at this term of the Court might be amended in matters of form, not to effect matters of substance.

1492 The State of Texas v. Wm McCutchan. Bail fixed at $1000
1497 The State of Texas v. C. Packett Bail fixed at $1000
1501 The State of Texas v. C. Payne Bail fixed at $1000

District Court Minutes, Fall Term, Dec 15 1862

Report of Jury Service at Fall Term 1862.

Grand Jury

1	Alfred Smith	5 days	$7.50
2	J. W. Wolen	4 "	7.50
3	O. S. Berry	4 "	7.50
4	J. L. King	4 "	7.50
5	N. B. Nichols	4 "	7.50
6	Joseph Harrell	4 "	7.50
7	C. Skalding	4 "	7.50
8	John Baker	4 "	7.50
9	J. B. Tarlton	4 "	7.50
10	John Brimard	4 "	7.50
11	L. West	4 "	7.50
12	John Robinson	4 "	7.50
13	L. Walsh	4 "	7.50
14	J. F Miller	4 "	7.50
15	C. Enders	4 "	7.50
			$112.50

Petit Jury

1	L. Brown	1 day	1.50
2	F. Slupy	4 "	6.00
3	N. Dawson	4 "	6.00
4	R. Meaneke	4 "	6.00
5	N. Green	4 "	6.00
6	A. C. Jones	4 "	6.00
7	Geo. Fariner	4 "	6.00
8	J. D Shepherd	4 "	6.00
9	R. Smith	4 "	6.00
10	O H Mellican	1 "	1.50
11	N. Gibson	1 "	1.50
12	A. Bass	1 "	1.50
			$166.50

Frank Brown Clk

And thereupon it is ordered that Court do adjourn until the next regular term Dec 15. 1862.

Examined & approved
A. L. Walker
Judge 17th Dist.

District Court Minutes, Spring Term, June 8th 1863.

The State of Texas } Be it Remembered, That on this, the 8th day of June,
County of Travis } 1863, being the ninth Monday after the first Monday in
April, 1863, and the time appointed, by law, for the meeting of the Spring term, 1863
of the District Court of Travis county, 1863, Present: the Hon. A. S. Walker, Judge of the
17th Judicial District of the State of Texas; R. McKnight, District Attorney
of the 3rd Judicial District of said State; Frank Brown, Clerk of the District
Court of Travis county, and Thomas C. Collins, Sheriff of said County. Whereupon, the
following proceedings were had by said Court, to wit:

The County Court having selected the Grand jury, and the Clerk
having issued the Venire, and the same being duly executed and returned into Court;
Ordered, that the Sheriff call the names of those persons appearing on said venire.
When the following persons answered, to wit: H. C. Bengener, A. Bahn, Wm Baker,
A. B. Blocker, John H. Pope, W. W. Atwood, L. Brown, S. B. Somers, J. E. Merrikle,
James Manor, Luke Bott and R. C. Flannikew, twelve in number. And because a
sufficient number is not in attendance; Ordered, that the Clerk issue a special
Venire for three additional persons, to complete the panel of grand jury men: And in
obedience thereto, the Sheriff summoned W. H. Gibert, J. B. Baron and C. H. Fox,
And the persons summoned, as above, as said Regular and Special Venires, being duly
examined, tried, and sworn, as to their qualifications; and each of said persons being
found possessed of every qualification, required by law, they were duly and legally sworn
& Constituted the Grand Jury of Travis county, county for and during the present term of this
Court, their names being as follows, to wit.

1. John H. Pope;
2. H. C. Bengener;
3. A. Bahn;
4. Wm Baker;
5. A. B. Blocker;
6. W. W. Atwood;
7. L. Brown;
8. S. B. Somers;
9. J. E. Merrikle;
10. James Manor;
11. Luke Bott;
12. R. C. Flannikew;
13. W. H. Gibert;
14. J. B. Baron;
15. C. H. Fox.

And thereupon the Court appointed John H. Pope foreman of
said Grand Jury: And the Court having duly charged them as to their duties, they were
ordered to retire upon a discharge of the same, under charge of a Bailiff.

1489 The State of Texas v. Edmund Hurley. Ordered, on Motion, that the Clerk do issue, in this cause,
a Special Venire, for 36 jurors, returnable at 9 o'clock, on Thursday morning, the 11th instant.

Ordered, that the Criminal Docket be set for hearing on to-morrow at 2 o'clock P.M.

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

Tuesday, June 9th 1863

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

772 The State v. Cummins & Haley. Contd by consent of Dist atty
900 The State v. J. O. Ervin. Contd by consent
905 The State v. John Marshall. Death of Deft. suggested, and Indictment abates & is dismissed
908 The State v. John Marshall. Death of deft suggested, & Indictment abates and is dismissed
1364 The State v. Sam Norell. Contd by consent.
1359 The State v. Lewis Graham. Subpas ordered to Hays Co for defts Graham & Cam. for trial
1414 The State v. R. T. Browning. Death of deft suggested and suit dismissed
1415 The State v. R. T. Browning. Death of deft. suggested and suit dismissed
1416 The State v. R. T. Browning. Death of deft suggested and suit dismissed

District Court Minutes, Spring Term, June 9th 1863

1417 The State of Texas v. R. T. P. Jennings. Death of deft. suggested, and suit dismissed
1433 The State v. G. B. Zimpleman. Cont'd by operation of Law
1441 The State v. W. P. de Normandie Cont'd by Dist Atty
1442 The State v. W. P. de Normandie Cont'd by Dist Atty
1444 The State v. W. P. de Normandie Cont'd by Dist Atty
1468 The State v. John E. Campbell. Cont'd by State
1472 The State v. James Austin. Cont'd by operation of Law.
1475 The State v. Jane Woods Cont'd by operation of law
1476 The State v. Jane Woods Cont'd by operation of Law
1478 The State v. Lynch Cont'd by operation of Law
1479 The State v. Isch'd Jackson Cont'd by operation of Law
1485 The State v. Geo Lynch Cont'd by operation of Law
1486 The State v. Robert Smyth Cont'd by operation of Law.
1487 The State v. J. W^m Hutton Alias capias ordered & Cont'd
1488 The State v. J. M. Sims Cont'd by operation of Law.

1491 The State of Texas } Plaintiff } This cause being called for trial the defendant,
v. } Charles Payne, failing to appear and answer to
Charles Payne } Defendant } the Indictment in this case, he and his securities
C. V. Ezell and W. T. Norton, being distinctly called at the door of the Courthouse of
Travis county, and the defendant, after a reasonable length of time, still failing
to appear. And it appearing to the Court that the defendant Charles Payne, with the
said C. V. Ezell and W. T. Norton, as his securities, did enter into Recognizance, in
open Court, in this cause, on the 11th day of December, 1862, payable unto The State
of Texas in the sum of fifteen hundred dollars conditioned that the said defendant,
Charles Payne, make his personal appearance at the District Court of said
County of Travis, on the 4th Monday after the first Monday in April, 1863 to
answer the Indictment preferred against the said defendant, Charles Payne,
by the Grand Jurors of Travis county, at the fall term, 1862 for Theft, and there
remain, from day to day, and from term to term of said Court, and that he do
not depart thence without leave of said Court, which said Recognizance is
forfeited, and it is considered by the Court that the State of Texas do have and
recover of the said ~~Thomas~~ Charles Payne, the said sum of fifteen hundred Dollars, and of
his said securities the sum of fifteen hundred dollars, and that this judgment unless be
made final unless good cause be shown at the next term of this Court why the
said defendant, Charles Payne, did not appear. And further ordered that citations
do issue to the said securities

1492 The State of Texas v. W^m McCutcheon. Capias ordered to Lampasas Co and Cont'd.
1493 The State of Texas v. R. J. Tonnes. Attachments ordered for witnesses returnable to the
next term, as follows: to Brazoria county, for Jacob Smith; to Travis for Thomas Manan, F. L. Ray,
G. W. Mills & Antonio (a Mexican)
1494 The State v. Mark Poag Continued by consent of parties
1495 The State v. Mark Poag Continued by consent of parties
1498 The State v. R. Davis Nol. Pros. entered and cause dismissed, & deft. Discharged.
1501 The State v. Charles Payne Cont'd for service - cabias to Lamas & Travis Co's
1502 The State v. D. O Cunningham Cont'd by operation of Law

District Court Minutes, Spring Term, June 9th 1863.

1499 The State of Texas } Plaintiff } This cause being called for trial, the defendant
v. } } John C. Saunders, failing to appear and
John Saunders } Defendant } answer to the indictment in this case, he
and his securities, James P. Baldin and S. Crosby being distinctly called
at the door of the Courthouse of Travis county, and the defendant, after a
reasonable length of time, still failed to appear. And it appearing to the
Court that the defendant, John C. Saunders, with the said James P. Baldin and
S. Crosby as his securities, did execute the Bail Bond on file in this case, sub-
stantially as follows: Dated 20th day of November, 1862, payable unto The
State of Texas in the sum of One Thousand Dollars and stating that the said
defendant, John C. Saunders, make his personal appearance at the District
Court of said county of Travis, on the ninth monday after the first Monday
in October, 1862, to answer any Indictment that might be preferred against
him by the Grand Jury of Travis county, for an aggravated assault and battery,
and there remain from day to day and from term to term of said Court, and
that he do not depart thence without leave of said Court, which said bond is
forfeited. And it is considered by the Court that the State of Texas do have and
recover of the said John C. Saunders the said sum of One Thousand Dollars
and of his said securities the sum of One Thousand Dollars; and that
Judgment will be made final unless good cause be shown at the next
term of this Court, why the said defendant John C. Saunders did not appear.
And further ordered that citations do issue to the said securities.

1496 The State of Texas v. James P. Ball Continued by consent of parties.
1493 The State of Texas v. R. J. Townes Continued by consent of parties.
1490 The State of Texas v. Avera Adkins Continued by consent of parties
1473 The State of Texas v. Amos Merrill. Nol. Pros entered & case dismissed

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

Wednesday, June 10th, 1863.

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

1733 W. A. Hopkins, et. als. } Plaintiffs } And now on this day come
v. } } the defendant, and submits
Amos Merrill. } Defendant } his motion for a change of the
venue, to the County of Williamson, because of the disqualification of
the Judge of the Second Judicial District, And because of such dis-
qualification, and the refusal of C. D. West to try the case, who was appeal
upon to do so, It is considered by the Court, that the venue of this
case be changed to the county of Williamson, the county seat of said
county being nearest to the city of Austin, of any seat of the adjoining
counties; and that the Clerk of this Court do transmit to the Clerk of
the District Court of said Williamson county, all the original papers in
this cause, together with a certified transcript of the entries herein
that such proceedings may be had as to justice and equity may
appertain.

District Court Minutes, Spring Term, Sitting 1863

2231 Mary Menelle } Plaintiff } And now at this day
v. } came the parties, who,
Lewis P. Menelle } Defendant } consenting to try, announced
themselves ready for trial. Whereupon came a jury of lawful good
and lawful men of Travis county, who, being duly tried, elected,
empannelled and sworn, heard the pleading, the evidence, the argument
of counsel and the charge of the Court, and having retired for deliberation,
returned into Court the following verdict, to wit: "We, the jury, find that
the allegations in the plaintiffs petition are true J. B. Thrasher, Foreman."
Wherefore, It is considered and decreed by the Court, that the bonds of
matrimony heretofore existing between the said parties, Mary and
Lewis P. Menelle, be and are hereby forever dissolved, and the parties
released from any and all relations as man and wife that may have
heretofore existed between them. And the cost being paid, no order
is made on that subject.

+ And now on this day came into Court, the Grand Jury of Travis county,
duly elected, empannelled, sworn and charged for and during the present
term of the District Court of Travis county, and through their foreman,
John H. Pope, presented to the Court the following Bills of Indictment, to wit:

1502 The State of Texas v. Ben Hines and Doctor Jones. Making an assault.
1503 The State of Texas v. Dick Jones. Buying property from a slave.
1504 The State of Texas v. Lewis a slave. Murder.
1505 The State of Texas v. Moses Norris Murder.
1506 The State of Texas v. John Jones. Buying property from a slave.

And thereupon said Jury suggesting that there is no further
business before them, they were discharged from further attendance.

1489 The State of Texas } Plaintiff } and now comes R. McRight
v. } District Attorney on behalf of
James Hurley } Defendant } the State and comes the
defendant in person and by attorney, and the Court issued a
rule upon the Sheriff to show upon what authority the
prisoner has been returned to his custody; and thereupon
the Sheriff made his return and brought the his men into
Court - and upon the return of the Sheriff and the evidence
of J. M. Slaiter, Superintendent of the Lunatic Asylum, the
District Attorney moved to take the prisoner from the custody
of said Superintendent and place him in the custody of the
Sheriff - But the Court refused the motion and ordered that
the prisoner be removed to the custody of the Superintendent of the
Lunatic Asylum to remain in accordance with the statute until
the further order of this Court

District Court Minutes, ... Term, ... 186

Jury Service at this Term 1863

Grand Jury

No	Names	Amt of service	Per Rate	Total pay
1	John H. Pope	3 days	1.50	$4.50
2	H.C. Burgener	"	"	4.50
3	A. Baker	"	"	4.50
4	Wm Baker	"	"	4.50
5	A. P. Blocker	"	"	4.50
6	W W Atwood	"	"	4.50
7	L Brown	"	"	4.50
8	J. B. Jones	"	"	4.50
9	J. C. Mannikle	"	"	4.50
10	James Mauer	"	"	4.50
11	Luke Bott	"	"	4.50
12	R C Mannikan	"	"	4.50
13	W H Gabert	"	"	4.50
14	J B Baron	"	"	4.50
15	C K Fox	"	"	4.50
				$67.50

Petit Jury

1	Wm Rhoden	2 days	84	3.00
2	J M Kee	"	84	3.00
3	P. Sanders	"	84	3.00
4	B. Pipes	"	84	3.00
5	S. Loomis	"	84	3.00
6	J. Hemberger	"	84	3.00
7	J N Brock	"	84	3.00
8	Wade Henry	1	44	1.50
9	August Palmer	2	8	3.00
10	J B Thaxton	2	84	3.00
11	Wm Robinson	2	84	3.00
12	Benj. Choate	2	84	3.00
13	J. J. Tannehill	1	44	1.50
				103.00
	1 Jury fee collected No. 2231. Merrille v. Merrille			3.00
				$106.50

X

And thereupon It is ordered that Court do stand adjourned until the next Regular Term, the foregoing minutes having been read, examined & approved.

R. L. Walker
Judge 17th Dist.

District Court Minutes, ... Term, ... 186

District Court Minutes, Spring Term, June 6th 1864

The State of Texas } At a Term of the District Court begun
County of Travis } and held at the City of Austin on the 4th
Monday after the first Monday in April A. D. 1864 the same being
the sixth day of June of said year, the Honorable the District Court
of the County of Travis, in said State, met at the Courthouse thereof
in the City of Austin, pursuant to Law. Present, the Hon. A. J.
McGinnis, Judge of the Second Judicial District presiding, Jno. C.
Brown, Clerk of the District Court of said County of Travis, and
Thomas G Collins, Sheriff of Travis County.

Whereupon the following proceedings were had by
X said Court, to wit

The Regular Venire Facias having been duly issued
and returned into Court endorsed with the Sheriff's Return showing
that the Grand Jurors therein named had been duly summoned,
and it also appearing that the said Grand Jurors had been duly
selected by the County Court, in accordance with Law the Court
ordered that the names of said Jurors be called. Whereupon they
were called; and a sufficient number thereof not being in attend-
ance to complete the panel of Grand Jurymen, the Court ordered that
a Special Venire issue commanding the Sheriff to summon a suffi-
cient number to complete the said Grand Jury. And the Sheriff there-
upon summoned an additional number; Whereupon the names of those
persons appearing upon the said Regular Venire Facias and upon the
said Special Venire being called, there was found a sufficient number
to complete the panel of Grand Jurymen, the names of said Grand
Jurors so summoned, and in attendance as aforesaid being as follows, to-wit:
Grand Jury: C. Scoggins; L. B. Collins; John [3] Bremond, Sr; Elisha Francis; A. Bahn;
Josiah [6] Bishop; B. F. Bennett; O. Christian; C. H. Fox; Nade [10] Henry;
C. [11] Spalding; John [12] S. Spence; B. B. Long; E. M. Earnest; and [15] A. L.
Brizendine.

And the Grand Jurymen so summoned, as aforesaid, as said
Regular and Special Venire, being duly examined, tried and sworn,
as to their qualifications; and each of said persons being found possessed
of every qualification required by law, they were duly and legally sworn
constituted the Grand Jury of Travis county for and during the present
Term of this Court. And thereupon the Court appointed John
Bremond, as Foreman of the said Grand Jury, who was duly charged
as to the duties devolving upon them; and thereupon they were ordered
to retire upon their duties

And thereupon It is ordered by the Court, that the following
named jurymen, summoned as such and who have failed to
answer to their names, to wit: John S. Miller; [illegible];
Jno B. Banks, Thos J. Bacon; [illegible]; R. S. McJohnson;
David Eppright and N. W. Rudgers; [illegible], and they are hereby fined
in the sum of Fifty Dollars each, and that citation 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 should not be made final against them.

Ordered that W. H. Bowen, Esq. an attorney of this Court, be appointed District Attorney, pro tem. to act in the place in the absence of
R. McRyhl, District attorney, who is absent.

District Court Minutes, June Term, 1864

Ordered by the Court that the Criminal Docket be set for trial and hearing on Thursday, the 9th instant.

Ordered by the Court that in the following causes the Court being disqualified by reason of having represented the State heretofore as District Attorney, It is ordered that the same be continued by operation of Law.

111 The State of Texas v. Andrew Jackson.
132 " " v. Blake Thompson
143 " " v. M. Needham
147 " " v. E. C. Travelstead
146 " " v. E. C. Travelstead
152 " " v. E. C. Travelstead
153 " " v. B. H. Thompson
463 " " v. Joseph Hodges.
477 " " v. J. M. Morris
536 " " v. Inman B. Buck
611 " " v. John S. Thorn
612 " " v. John S. Thorn
625 " " v. Wm. A. Bates
632 " " v. Wm. A. Bates
769 " " v. Sherman Case
772 " " v. Cummins & Haley
838 " " v. J. Bugamon
899 " " v. Alfred Evans
900 " " v. J. C. Ennis
905 " " v. Jno Marshall
907 " " v. Jno Marshall
908 " " v. Jno. Marshall
909 " " v. W. C. Phelps
910 " " v. Geo. W. Paschal
1156 " " v. Wm. Sowers
1158 " " v. Singley & Cummins
1177 " " " J. M. Kirk
1189 " " " Frank Easton
1235 " " " Wm C. Liggett
1236 " " " Jacob Burleson
1268 " " " R. H. Cumby
1269 " " " R. H. Cumby
1292 " " " Jack Robertson
1317 " " " J. H. Esmond
1298 " " " Mercil Flores
1333 " " " R. H. Cumby
1346 " " " Armstrong & O'Connor
1347 " " " Irving Rook
1348 " " " Irving Rook
1357 " " " Peter Stemo
1364 " " " Sam Stovall
1371 " " " Joseph Harrison
1382 " " " Andrew Chamberlain
1352 " " " Graham et al.

District Court Minutes, Spring Term, June 9 1864

And thereupon Court adjourned till Thursday morning the 9th instant

Thursday June 9th 1864

Court convened at 2 o'clock P. M. this day, pursuant to adjournment. Whereupon the following proceedings were had by said Court to wit:

1386	The State of Texas	vs	J. M. Drake	Continued	for	Service
1387	"	"	V. Montoya	"	"	"
1389	"	"	Smith	"	"	"
1352	"	"	Graham et al	"	"	"
1394	"	"	Ben Hines	"	"	"
1395	"	"	"	"	"	"
1396	"	"	"	"	"	"
1397	"	"	" et al	"	"	"
1398	"	"	"	"	"	"
1399	"	"	"	"	"	"
1400	"	"	"	"	"	"
1401	"	"	Tom Pinks et al	"	"	"
1402	"	"	Ben. Hines et al	"	"	"
1403	"	"	Sam Scales et al	"	"	"
1404	"	"	"	"	"	"
1405	"	"	"	"	"	"
1406	"	"	J. S. W. Cook	"	"	"
1407	"	"	Sam Scales	"	"	"
1408	"	"	"	"	"	"
1409	"	"	"	"	"	"
1410	"	"	Fred Tate	"	"	"
1412	"	"	Tom Pinks	"	"	"
1413	"	"	Bill Wheelock	"	"	"
1418	"	"	"	"	"	"
1419	"	"	Ben Hines	"	"	"
1424	"	"	W D Schoolfield	"	"	"
1425	"	"	A. Manchaca et al	"	"	"
1426	"	"	A. Manchaca	"	"	"
1427	"	"	"	"	"	"
1428	"	"	"	"	"	"
1430	"	"	Pedro Valadez	"	"	"
1431	"	"	R. H. Cumby	"	"	"
1432	"	"	E. Conley	"	"	"
1433	"	"	J. B. Zimpleman	"	by operation of law	
1435	"	"	Rac. Scott	"	for Service	
1441	"	"	W. P. de Armandia	"	by operation of law	
1442	"	"	"	"	"	
1444	"	"	"	"	"	
1445	"	"	W. Tobin et al	"	for Service	
1446	"	"	Henry	"	Death of Deft. reported dismissed	
1447	"	"	Smart	"	for service	
1448	"	"	J. E. Campbell	"	by operation of law	
1449	"	"	Ben Hines et al	"	for service	
1450	"	"	"	"	"	
1457	"	"	"	"	"	

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1452	The State of Texas	v.	Fox & Jones	Cont for service	
1453	"	"	"	"	"
1454	"	"	"	"	"
1455	"	"	"	"	"
1456	"	"	"	"	"
1457	"	"	"	"	"
1458	"	"	"	"	"
1459	"	"	"	"	"
1460	"	"	"	"	"
1461	"	"	"	"	"
1462	"	"	Fox	"	"
1463	"	"	"	"	"
1464	"	"	"	"	"
1465	"	"	"	"	"
1466	"	"	"	"	"
1467	"	"	"	"	"
1468	"	"	John Martin	"	"
1469	"	"	Lee & Hare	"	by the State.
1470	"	"	D D Young	"	" Operation of Law
1471	"	"	Pet Cook	"	" " " "
1472	"	"	James Austin	"	" " " "
1474	"	"	Fred Kirk	"	for service
1475	"	"	Sam Wood	"	by operation of law
1476	"	"	"	"	" " " "
1477	"	"	Wm Byrd	"	for service
1478	"	"	Lynch	"	by operation of law
1479	"	"	J. Lynch	"	" " " "
1480	"	"	John Pickett	"	for service
1482	"	"	James Ferguson	"	" "
1483	"	"	Wilson	"	" "
1485	"	"	Geo Lynch	"	by Operation of Law
1487	"	"	Wm Hudson	"	" " " "
1489	"	"	James Hurley	"	for service
1490	"	"	Owen Adkins	"	by Operation of Law
1491	"	"	Payne et al	"	for service
1492	"	"	McCutchan	"	" "
1493	"	"	R. J. Towns	"	by the State.
1494	"	"	Mark Boag	"	for servic
1495	"	"	"	"	" "
1496	"	"	J. P. Nale	"	" " & Capias ordered.
1497	"	"	S. Pickett	"	" "
1499	"	"	John Saunders	"	by consent
1500	"	"	L. D. Carylon	"	" "
1503	"	"	John Jones	"	for service
1504	"	"	Lewis Adams	"	" "
1505	"	"	Moses Norris	"	" "
1506	"	"	John Jones	"	" "

J

1484 The State of Texas } Plaintiff } And now on this day appeared in open Court James Sims and
v. } } acknowledged himself to be indebted
Robert Smyth } Defendant } unto the [illegible] and he

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State of Texas in the penal sum of Five Hundred Dollars to be levied upon his goods and Chattels, and land & tenements. But to be void, nevertheless upon condition that the said James Sims do personally appear at the next term of the District Court of the County of Travis, to be held at the Courthouse thereof in the City of Austin, on the 9th Monday after the first Monday in October 1864 then and there to be [illegible] on behalf of the plaintiff in certain cause wherein the State of Texas is plaintiff and Robert Smyth, charged with an aggravated assault upon the body of One A. Smith, is Defendant, and that he do not depart the Court without leave.

1469 The State of Texas } Plaintiff
v.
Lee, a Slave } Defendant

} And now comes the parties in the [illegible] in this cause, and on motion it is ordered that the bond & the fiat in said cause be quashed and set aside. Thereupon comes Thomas Thaxton, [illegible] and acknowledges himself to owe and be indebted unto The State of Texas in the penal sum of Twenty Thousand Dollars, to be levied upon his goods and Chattels, lands and tenements. But to be void, nevertheless, upon condition that the said Lee, a Slave, the property of said Thomas Thaxton, make his personal appearance at the next Term of the District Court of Travis county, to be held at the Courthouse thereof in Austin, on the 9th Monday after the first Monday in October, 1864, then and there to answer the indictment preferred against him the said Lee, a Slave, by the [illegible] Grand Jurors of Williamson County, at the fall term of the District Court of said County, A.D. 1861, for the Murder of one Milton, a Slave, the property of Lydia Robinson, and from term to term thereafter, and that he do not depart the Court without leave.

1511 The State of Texas } Plaintiff
v.
Charles Payne } Defendant

} This cause being called for trial the defendant, Charles Payne, failing to appear, and answer to the indictment in this case, he and his securities S. E. Donally and L. S. Friend (the bond being dismissed as to the surety, M. E. Payne, wife of the defendant) being duly called at the door of the Courthouse of Travis County; and the defendant, after a reasonable length of time, still failed to appear. And it appearing to the Court that the defendant, Charles Payne, with the said S. E. Donally and L. S. Friend as his securities, did execute their bail bond on file in this cause, substantially as follows. Dated the 3d day of August, 1863, payable unto The State of Texas in the sum of One Thousand Dollars, conditioned that the said Defendant, Charles Payne, make his personal appearance at the District Court of said County of Travis at the 9th Monday after the first Monday in October, 1863 to answer the indictment preferred against the said Defendant, Charles Payne, by the Grand Jurors of Travis county, at the Fall Term, A.D. 1862, for Theft, and there remain from day to day and from term to term of said Court, and that he do not depart thence without leave of said Court, which said bond is forfeited. And it is considered by the Court that the State of Texas do have and recover of the said Charles Payne the said sum of One Thousand Dollars, and of his said securities the sum of One thousand dollars, and that this judgment will be made final unless good cause be shown at the next term of this Court, why the said Defendant, Charles Payne, did not appear; and further ordered, that citations do issue to the said securities.

1512 The State of Texas } Plaintiff
v.
Doctor Jones } Defendant

} This cause being called for trial the defendant Doctor Jones (who signs by the name of C. T. Jones) failing to appear and answer to the Indictment in this cause, he and his securities H. C

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Holman and A. M. Davidson being distinctly called at the door of the Courthouse of Travis county, and the defendant, after a reasonable length of time, still failed to appear. And it appearing to the Court that the defendant, C. T. Jones, with the said H.C. Holman and A. M. Davidson, as his securities, did execute the bail bond in this case, substantially as follows: Dated this 17th day of June, A.D. 1863, payable unto The State of Texas in the sum of One hundred dollars, conditioned that the said defendant, C. T. Jones, make his personal appearance at the District Court of said County of Travis, on the 4th Monday after the first Monday in October 1863, to answer the Indictment preferred against the said defendant, ~~Charles Payne~~, C. T. Jones, by the Grand Jurors of Travis county, at the Spring Term, 1863 for, An affrayer, and there remain from day to day, and from term to term of said Court, and that he do not depart thence without leave of said Court, which said bond is forfeited. And it is considered by the Court that the State of Texas C. T. Jones the said sum of One hundred dollars and that the said sureties H.C. Holman and A. M. Davidson the said sum of One Hundred Dollars, and that this judgment will be made final unless good cause be shown at the next term of this Court, why the said defendant, C. T. Jones, did not appear; and further ordered that citations do issue to the said securities.

2243 The State of Texas vs Jno M Swisher et al. Continued by the Defendant's. And thereupon Court adjourned till to-morrow morning 10 o'clock.

Friday, June 10, 1864.

Court convened at 10 o'clock, A. M. pursuant to adjournment. Present the same as on yesterday whereupon the following proceedings were had by the Court, to wit:

W. H. Bowers, Esq. acting District attorney, suggesting to the Court that owing to physical inability, he is unable to continue his duties as such; It is ordered that he be relieved, and that A. J. Campbell, Esq. an attorney of this Court be appointed to act as District Attorney in the absence of R. McRight, Esq. the District Attorney.

And now on this day appeared in open Court, the Grand Jury of Travis county, duly tried, elected, empannelled, sworn and charged for and during the present term of this Court, and, through their foreman, John Bernard, Jr. presented to the Court the following Bills of Indictment, consenting that the same may be amended in matters of form not affecting matters of substance, to wit.

1507	The State of Texas v. Watson Dibrell	Plaintiff Defendant	Theft of a Watch.
1508	The State of Texas v. Watson Dibrell	Plaintiff Defendant	Theft of a Pistol
1509	The State of Texas v. Jesus Gonzales	Plaintiff Defendant	Aggravated Assault upon the body of one Soloves Gutieres.
1510	The State of Texas v. T. B. Clifton	Plaintiff Defendant	Theft of a Horse.

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1976 John Harvey } Plaintiff
v. } And now on this day came the
Ben. Barton } Defendant } plaintiff, by his attorney; and, on motion,
It is ordered by the Court that this cause
be, and the same is hereby dismissed from the docket. And that the
plaintiff John Harvey pay all the cost herein expended for which
execution may issue, when the law permits it.

2241 Wm S. Carothers } Plaintiff
v. } In this case appeared the parties
E. Sampson et al. } Defendants } plaintiff and Defendants, by their
attorneys, and by agreement submitted
to the Court the Defendants general and special exceptions to the plaintiffs
original and amended petitions. After hearing the argument of counsel
and the same having been fully considered, It is ordered, adjudged and
decreed by the Court, that the general and special exceptions of the defendants
be and the same are hereby sustained, and that the plaintiffs suit be, and
the same is dismissed, and that the plaintiff, W. S. Carothers, take nothing by
this his suit: and that the defendants E. Sampson, H. H. Calvert, John
Rowland, John Davis, D. C. Barmore, J. M. Tomlinson, R. R. Kelley, J. P.
McGill and R. J. Turner, go hence without day. It is further ordered, ad-
judged and decreed by the Court, that the defendants do have and recover
of and from the plaintiff, W. S. Carothers, all the costs of this suit
paid, laid out and expended, for which execution may issue, when the law
will authorize it. And the plaintiff, by his counsel, in open Court, gives notice
of appeal to the Supreme Court of the State.

1958 Susan L. Ward } Plaintiff
v. } And now on this day came the plaintiff
Thomas Wm Ward } Defendant } by attorney, and it appearing that the
defendant, and his counsel, John A. Green
were duly served with notice of the motion, and that they have failed to make
answer thereto, and it appearing that the Defendant has refused to pay the plaintiffs
allowance of Alimony for ten months ending the twenty eighth day of December, 1863,
and from thence until the present day, making seventeen months up to the 28th
day of May last at seventy-five dollars per month. It is therefore, ordered, adjudged
and decreed, that unless the defendant shall, within ten days from this date, pay to
Thomas C. Collins, who is hereby appointed Receiver, the amount of said monthly
allowances, and interest from the maturity of each, the said Thomas C. Collins
will take possession of the homestead, (consisting of Lots 1, 2, 4, 5, 6, 10, 7, 8, 9 in
Block No. 81, in Austin, and the improvements thereon) of the parties occupied by the
Defendant, and all the appurtenances, fixtures and furniture and movable
property therein and thereon; also, of the farm lots, consisting of 40 acres No. 46
in Division B, 90 acres, No. 23 in Division B, and 22 acres in No. 29 Division G
and the fixtures, tannery, crop and property thereon, and that he use, rent,
and dispose of enough thereof to pay the said arrearages, and the future al-
lowance of seventy five dollars per month. And should the said Ward pay
arrearages, and at any future time make default of any months allowance
then the Sheriff will proceed to execute said order, and for that purpose to
hold all of said property until the further order of this Court.

It is further ordered that said defendant under
oath, deliver to said Receiver for the plaintiff, all and every piece of the
clothing and wearing apparel which he has, holds or controls which was

made for, used, upon by the plaintiff

And after hearing the evidence in reference to the answer of Ward to interrogatories propounded to him by the plaintiff, at the December term, 1860, it is ordered that an attachment for contempt issue against the said Ward, and that the Sheriff arrest him and hold him until he deliver to him the said original answer, or an affidavit of his inability to produce it, accompanied by a sworn copy.

Saturday June 11, 1864.—

Court convened pursuant to adjournment.— Present the same as on yesterday, whereupon the following proceedings were had, to wit:

And now on this day appeared in open Court the Grand Jury of Travis County, duly elected, impannelled, sworn and charged for and during the present Term of this Court, and through their Foreman, John Bremond Sr. presented to the Court the following bills of indictment, consenting that the same may be amended in matters of form, not of substance, to wit:

1511 The State of Texas / Joseph T. Robinson } Plaintiff / Defendant } Assault with intent to kill & murder

1512 The State of Texas / Joseph T. Robinson } Plaintiff / Defendant } Assault with intent to kill & murder.

1513 The State of Texas / Joseph T. Robinson } Plaintiff / Defendant } Aggravated assault.

1514 The State of Texas / Joseph T. Robinson } Plaintiff / Defendant } Assault with intent to kill & murder.

1958 Susan L. Ward / Thos. W. Ward } Plaintiff / Defendant } and now on this day came the parties by attorneys, and the Defendant produced what the Plaintiff accepted as a substantial copy of the lost answer, and it was filed & so substituted; and the Defendant filed an answer for a rehearing of the motion as to appointing a Receiver which was heard, and it was ordered that the order, of yesterday be set aside and the motion reheard on Monday the 13th inst. at 10 o'clock A.M.

1517 The State of Texas / Joseph T. Robinson } Plaintiff / Defendant } and now on this day appeared in open Court the defendant Joseph T. Robinson, & Principal, and W. H. D. Harrington and M. M. Long, assureties, and they and each of them acknowledged themselves jointly and severally justly to owe and be indebted unto the State of Texas in the penal sum of Five Thousand Dollars, to be levied upon their respective goods and chattels, lands and tenements. But to be void nevertheless upon the condition that the said Joseph T. Robinson be and personally appear before the Hon. District Court of Travis County, to be held

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at the Courthouse thereof at the present Term, and from Term to Term thereafter to answer the indictment preferred against him by the Grand Jury of Travis County at this the Spring Term of the District Court of said County, 1864, for the offense of Assault with intent to kill & murder, until discharged by due course of law, and that he depart not this Court without leave.

1512 V

The State of Texas } Plaintiff
v.
Joseph T. Robinson } Defendant

And now on this day appeared in open Court the defendant Joseph T. Robinson, as principal, and W. H. D. Carrington & M. M. Long, as Securities, and they and each of them acknowledged themselves jointly and severally justly to owe and be indebted unto the State of Texas in the penal sum of Five Thousand Dollars to be levied upon their respective goods and chattels, lands and tenements, but to be void, nevertheless, upon condition that the said Joseph T. Robinson be & personally appear before the Honorable ~~District~~ Court of Travis County, to be held at the Courthouse thereof in the City of Austin, now in session, & from Term to Term thereafter, to answer the indictment preferred against him by the Grand Jury of Travis County, at this the Spring Term, 1864, for the offence of Aggravated Assault with Intent to Kill & Murder, ~~during the present term & from Term to Term~~ until discharged by due course of law, and that he do not depart the Court without leave.

1513 V

The State of Texas, } Plaintiff
v.
Joseph T. Robinson } Defendant

And now on this day appeared in open Court the Defendant, Joseph T. Robinson as principal, and W. H. D. Carrington and M. M. Long, as Securities, and they and each of them acknowledged themselves jointly & severally justly to owe and be indebted unto the State of Texas, in the penal sum of Three Thousand Dollars, to be levied upon their respective goods & chattels, lands & tenements, but to be void, nevertheless, upon condition that the said Joseph T. Robinson be personally appear before the Hon. District Court of Travis County, to be held at the Courthouse thereof in the City of Austin, now in session & from Term to Term thereafter, to answer the indictment preferred against him by the Grand Jury of Travis County at this Spring Term, 1864, for the offence of Aggravated Assault, until discharged by due course of law, & that he do not depart the Court without leave.

1514 V

The State of Texas } Plaintiff
v
Joseph T. Robinson } Defendant

And now on this day appeared in open Court the Defendant, Joseph T. Robinson as principal, and W. H. D. Carrington & M. M. Long, as Sureties, and they and each of them acknowledged themselves jointly & severally justly to owe and be indebted unto the State of Texas, in the penal sum of Five Thousand Dollars, to be levied upon their respective goods & chattels, lands & tenements, But to be void, nevertheless, upon condition that the said Joseph T. Robinson be personally appear before the Honorable District Court to be held at the Courthouse thereof in the City of Austin, now in session and from Term to Term thereafter, to answer the indictment preferred against him by the Grand Jury of Travis County at this Spring Term, 1864, for the offence of Assault with intent to Kill & Murder, until discharged by due course of law, and that he depart not the Court without leave. Ordered that Court adjourn till Monday next 10 o'clk a.m.

District Court Minutes, Spring Term, June 13, 1864.

June 13, 1864.

Court met pursuant to adjournment. Present, the same as on Saturday; - Whereupon the following proceedings were had, to wit:

Ordered by the Court that a fine of One Hundred Dollars be entered against A. G. Campbell, Esq., an officer of the Court, who has been appointed District Attorney pro tem, and who failed & refused to perform the duties of said office & absented himself from Court ~~for Contempt of Court, and to be taken in custody of Sheriff till paid.~~ That capias issue & he be arrested & held in custody till paid

And now on this day appeared in open court the Grand Jury of Travis County, duly tried, elected, empannelled, sworn & charged, for and during the present term of this Court, and through their Foreman, John Brenond, Sr, presented to the Court the following Bills of Indictment, consenting that the same may be amended in matters of form, not of substance, to wit:

1515 — The State of Texas, Plaintiff, v. John Hughes, Defendant. } Assault & Battery.

1958 — Susan L. Ward, Plaintiff, v. Thomas Wm Ward, Defendant } and now on this day came the parties by their attorneys and the Plaintiff obtained leave to amend his motion and to file specifications thereto, which were filed; and thereupon, it appearing to the Court that the Plaintiff's decrees or orders drawn in accordance with the previous orders of this Court upon the Defendant, each for Seventy-five Dollars, remain wholly unpaid, and that payment thereof has been ~~refused~~ paid & neglected, viz: of the dates of the twenty-eighth of March, April, May, June, July, August, September, October, November, & October, AD 1863.

And also that the monthly allowance ordered by the Court up to the present day remains unpaid, which several sums including said orders make Eleven hundred and thirty-seven 50/100 ($1137.50) Dollars, being for fifteen months and one half of a month, at Seventy-five Dollars per month, upon which there has accrued interest to the amount of Eighty-one 50/100 dollars, making the total sum of Twelve Hundred & Eighteen 50/100 Dollars now due & unpaid.

Therefore, it is ordered, adjudged & decreed, that the motion for a Receiver be sustained, - that unless the Defendant shall within 20 days from this date pay to the Plaintiff, or her attorney, the said sum of money, cash above specified, then an order of sale shall issue against the Defendant, and unless he shall in writing point out to the Sheriff sufficient amount of the community property of the parties to satisfy said order of sale, then the Receiver shall enter upon the Homestead now occupied by the Defendant, being two Lots in Block Eighty-one (81), in the City of Austin, and described in the order of the tenth instant; and shall take possession of the Furniture, Fixtures & all the Personal Property upon said place; and shall, also, take possession of the Out-lots described in the order of the tenth instant, and the crop and the appurtenances thereon and thereto attached, and shall sell such property as is perishable and rent that which is not in the manner to produce the highest and most secure rent, and best to ensure the safety of the property, - and out of the proceeds of said rents & sales he shall pay to the Plaintiff the aforesaid amount and interest, and also, the future Monthly allowance of Seventy-five Dollars per month as the same shall accrue & fall due and any balance, after paying expenses, costs & commissions, he shall pay to the said Defendant. And should the Defendant point out, in writing, property as contemplated in this order, of sufficient value to satisfy the Order of Sale, then the Sheriff shall deliver-

tise the same publicly for twenty days at the usual places of public sales, when and where he shall sell the same to the highest bidder for cash, or sufficient thereof to pay the amount of the order of sale and all costs and shall deliver to the purchaser the possession.

And to carry into effect this order, it is further ordered, adjudged and decreed that John Bremond, Sr be appointed Receiver, with writ of assistance, who shall execute bond in the sum of Two Thousand Dollars with security to be approved by the Clerk conditioned for the faithful performance of his duties as Receiver, - that is, of a faithful administration of the property, proper diligence, and a faithful paying over the amounts received by him, and faithful reports of his accounts & proceedings.

Should the Defendant pay up the arrearages, then the Receiver will not proceed to act, unless the Defendant should make default in the payment of at least two monthly allowances, then when that accrues and is reported to him by the Sheriff, the Receiver will enter upon his duties and proceed as hereinbefore directed.

The Receiver will be allowed to retain five per centum commissions, and report to the Court if he should make claim for extraordinary trouble.

It is further ordered, adjudged & decreed, that the Defendant pay all the costs about this motion, including the presentation of the unpaid orders

And now came on Defendant's motion, praying that the amount of the future monthly allowance for the wife be reduced; and the Court, after hearing the evidence, does order, adjudge & decree that the Defendant's motion be overruled, and that he pay Seventy-five Dollars per month to Plaintiff during the pendency of this suit as Alimony.

Ordered that Court adjourn till 6 o'clock P.M.

Court met pursuant to adjournment. Same as yesterday. June 14. 1864.

And now on this day appeared in open Court the Grand Jury of Travis County, duly tried, elected, empannelled & charged, for and during the present Term of this Court, and through their Foreman, John Bremond, Sr. presented to the Court the following Bills of Indictment, consenting that the same may be amended in matters of form, not of substance, to wit:-

Ordered that Court adjourn till

1516 The State of Texas, Plaintiffs v William Eagle & Defendant } Aggravated Assault & Battery.

1517 The State of Texas, Plaintiffs v George W. Morris & Defendant } Assault with intent to kill & murder.

1518 The State of Texas, Plaintiff v William Rogers. & Defendant } Assault and Battery.-

1519 The State of Texas, Plaintiff v Joseph T. Robinson & Defendant } Burglary.-

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1520 The State of Texas, Plaintiff / v / Wm. Owens, et al Defendant } Indictment for Destroying Property.

1521 The State of Texas, Plaintiff / v / Joseph T. Robinson Defendant } Theft.

1522 The State of Texas, Plaintiff / v / Joseph T. Robinson Defendant } Theft.

1523 The State of Texas, Plaintiff / v / Harriet Bayard. Defendant } Indictment for marrying another while having a former husband living.
It was suggested to the Court that there was no further business before the jury, whereupon they were discharged

✓ 1511 The State of Texas, Plaintiff / v / Joseph T. Robinson Defendant } Assault with intent to kill & murder.

And now on this day came the State by Attorney and the Defendant being solemnly called by the Sheriff, did not appear: Whereupon his Securities, W. H. D. Carrington and M. M. Long, also being called upon to produce said Joseph T. Robinson, and not appearing. Thereupon it is considered by the Court that the Recognizances be forfeited, and that the State of Texas do have and recover of the Defendant, Joseph T. Robinson the sum of Five Thousand Dollars, and from the said Securities, W. H. D. Carrington & M. M. Long, jointly & severally, the sum of Five Thousand Dollars, and that said judgment will be made final, unless good cause be shown at the next Term of the District Court why the said Robinson did not appear. It is further ordered by the Court that an alias capias issue and that the Clerk endorse thereon that bail in Eight Thousand Dollars will be required.

1512 The State of Texas, Plaintiff / v / Joseph T. Robinson Defendant } Assault with intent to kill & murder

✓ And now on this day came the State by Attorney and the Defendant being called by the Sheriff, did not appear; Whereupon his Securities, W. H. D. Carrington & M. M. Long, also being called and not appearing, - Whereupon it is considered by the Court that the Recognizances be forfeited, and that the State of Texas do have & recover of the Defendant, Joseph T. Robinson the sum of Five Thousand Dollars, and from the said Securities, W. H. D. Carrington and M. M. Long, jointly and severally the sum of Five Thousand Dollars, and that said judgment will be made final unless good cause be shown at the next Term of the District Court why the said Robinson did not appear; - It is further ordered by the Court that an alias capias issue and that the Clerk endorse thereon that Bail in Eight Thousand Dollars will be required.

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1513 The State of Texas, Plaintiff
v
Joseph T. Robinson & Defendant } Aggravated Assault

And now on this day come the State by Attorney, and the Defendant being solemnly called by the Sheriff did not appear — Whereupon his securities, W. H. D. Carrington and M. M. Long, also, being called, and not appearing: Whereupon it is considered by the Court that the recognizances be forfeited, and that the State of Texas do have & recover of & from the said Defendant, Joseph T. Robinson, the sum of Three Thousand Dollars, and from the said Securities, W. H. D. Carrington & M. M. Long, jointly & severally the sum of Three Thousand Dollars, and that said judgment will be made final unless good cause be shown at the next Term of the District Court why the said Robinson did not appear. — It is further ordered by the Court, that an alias capias issue and that the clerk endorse thereon that bail in Thousand Dollars will be required.

1514 The State of Texas, Plaintiff
v
Joseph T. Robinson, Defendant } Assault with intent to kill & murder

And now on this day came the State by Attorney, and the Defendant being solemnly called by the Sheriff, did not appear — whereupon his securities, W. H. D. Carrington and M. M. Long, also being called and not appearing: Whereupon it is considered by the Court that the recognizances be forfeited, and that the State of Texas do have and recover of and from said Defendant, Joseph T. Robinson, the sum of Five Thousand Dollars, and from the said securities, W. H. D. Carrington and M. M. Long, jointly and severally, the sum of Five Thousand Dollars, and that the said judgment will be made final unless good cause be shown at the next Term of this District Court why the said Robinson did not appear. — It is further ordered by the Court that an alias capias issue & that the Clerk endorse thereon that bail in the sum of Eight Thousand Dollars will be required. —

Ordered that Court adjourn till 8 o'clock tomorrow morning.

Wednesday, June 15, 1864. —

Court met pursuant to adjournment. — Same as on yesterday. —

1517 The State of Texas, Plaintiff
v
George W. Morris, Defendant } And now at this day came Geo. W. Paschal, District Attorney pro tem. on behalf of the State, and also came the defendant, Geo. W. Morris in person and by Attorney, and thereupon the parties, respectively, announced themselves ready for trial. — Thereupon a jury of twelve good & lawful men of Travis County, consisting of the following persons: C. C. Browning, Chas. Behrke, Miles Bygne, R. Bertram, A. E. Brown, C. Eanes, Leander Brown, J. T. Brown, C. Doublin, W. A. Hamilton, ~~Samuel Hall~~, Louis Horst, ~~Eli Ford~~ Jones Peterson, who were elected, tried, empannelled, sworn & charged, according to law. Thereupon the defendant entered his plea of guilty of Aggravated Assault, but denies an intent to kill & murder contained in the Bill of Indictment; and the

Dollars, fo...
being tak...
District Atty...
From ..... da...
GIVEN UN...

District Court Minutes, Spring Term, 1864

Jury having heard the indictment read, the argument of counsel and the charge of the Court, returned into Court the following verdict, to wit: "We, the jury fine the Defendant Five Hundred Dollars." — L. Brown, Foreman."

1515 The State of Texas v. John Hughes. — Continued for service.
1516 The State of Texas v. William Eagle. — Continued for service.
1518 The State of Texas v. William Rogers. — Continued for service.
1519 The State of Texas v. Joseph Robinson. — Continued for service. Bail fixed $8000.00
1520 The State of Texas v. Wm Owens, et al. — Continued for service.
1521 The State of Texas v. Joe Robinson. — Continued for service. — Bail to be fixed at $8000.00
1522 The State of Texas v. Joe Robinson. — Continued for service. Bail to be fixed at $8000.00
1523 The State of Texas v. Harriet Bayard. — Continued for service. Bail to be $5000.00

2246 Ex parte Joseph B. Scott } Habeas Corpus.

This cause coming on for trial, the Respondent, Joseph T. Robinson, appeared in Court and produced the body of the applicant, Joseph B. Scott, before the Court, and the cause of his detention being thoroughly and particularly enquired into by the Court, and after hearing the evidence and the argument of counsel and duly considering said cause: It is hereby ordered, adjudged and determined by the Court, that said applicant, Joseph B. Scott, is illegally restrained of his liberty by the Respondent, Joseph T. Robinson. — It is also ordered, adjudged and decreed by the Court, that the said Applicant, Joseph B. Scott, be discharged and go hence without day, and that he have and recover of and from the Respondent, Joseph T. Robinson, all costs in this cause laid out and expended, for which Execution may issue when authorized by law, and the Respondent, Joseph T. Robinson, gives notice in open Court, of appeal to the Supreme Court.

1958 Susan E. Ward } Plaintiff
v
Thos Wm Ward } Defendant

And now on this day came the parties, and it was agreed that John Boremond, Sr., might be appointed Receiver without the necessity of giving Bond and thereupon the Court appointed said Boremond, dispensing with the consent of the parties, with the Bond. And thereupon came the said John Boremond, Sr., and took the oath faithfully to perform the duties of Receiver in accordance with the order of the Court, and to pay over the monies as therein ordered. — The Defendant protesting against the legality of the order appointing the Receiver and excepting thereto.

Report of Jury Service at the Spring Term 1864

Grand Jury

1	John Bremond 8 days	$12.00	8.	E. Christian 8 days	$12.00
2	C. Scroggins 8 "	12.00	9.	C. H. Fox 8 "	12.00
3	L. B. Collins 8 "	12.00	10.	Wade Henry 8 "	12.00
4	Elisha Francis 8 "	12.00	11.	C. Spalding 8 "	12.00
5	A. Bahn 8 "	12.00	12.	Jno S. Spencer 8 "	12.00
6	Josiah Bishop 8 "	12.00	13.	B. O. Tong 8 "	12.00
7	B. C. Bennett 8 "	12.00	14.	W. L. Brizendine 8 "	12.00
			15.	E. M. Earnest 8 "	12.00
			Total Grand Jury Service		$180.00

District Court Minutes, Term, June 15 1864

1	A H Barnes	1 day	$1.50	13	A. Kensinger	1 day	$1.50
2	Charles Behnke	7 "	10.50	14	L Horst	7 "	10.50
3	Miles Byrne	7 "	10.50	15	E Kirk	7 "	10.50
4	R. Bertrem	7 "	10.50	16	M M Long	1 "	1.50
5	A. E. Brown	7 "	10.50	17	John Peterson	7 "	10.50
6	A. Eanes	7 "	10.50	18	R H Peck	7 "	10.50
7	Leander Brown	7 "	10.50	19	Ed Tillman	7 "	10.50
8	J. T. Brown	7 "	10.50	20	D Walsh	7 "	10.50
9	J. M. Bennett	1 "	1.50	21	C. C. Bonning	7 "	10.50
10	C. Domsky	7 "	10.50	22	F. T. Daffan	7 "	10.50
11	W. A. Hamilton	7 "	10.50				$375.00
12	Sam Harris	7 "	10.50				

The foregoing minutes of the proceedings of the present term, having been examined and approved, It is ordered that this court do now adjourn, and stand adjourned, until the next regular term

June 15th 1864

A D McGinnis
Judge 2nd Jud'l Dist.

District Court Minutes, Special Term, Sept. 23d 1864

J. M. Baird } Plaintiff } This cause coming on to be heard
} } in pursuance of notice given to the
John M. Thomas } Defendant } parties more than ten days ago; and it
appearing that the notice to the parties was to appear on Saturday the 23d day
of September, 1864, at the Courthouse in the City of Austin, Travis County,
at 10½ o'clock, A. M. of said day; And it further appearing that the said
23d day of September did not come on Saturday, the consideration of
said cause was postponed until to-morrow, at 10½ o'clock A. M, it being
on Saturday, of which postponement the parties were duly notified.

Saturday 10½ o'clock, A. M, Sept. 24, 1864.

The Court met pursuant to adjournment, when the following proceedings were
had, to wit:

J. M. Baird } Deff } This Defendants motion to dissolve
} } the Injunction in this cause coming on
J. M. Thomas } Deft. } to be heard. And the Court having
heard and considered the petition and answer, and the argument of counsel
It is ordered, adjudged and decreed, by the Court that the Injunction granted
in this case be and the same is dissolved, and that the Defendant, John M.
Thomas, do have and recover of and from the plaintiff all his cost in this
behalf expended, for which execution may issue when authorized by law.

In Vacation, at Courthouse Austin, Sept. 26, 1864

Ex Parte - Habeas Corpus -

James A. Foster

On Habeas Corpus tried in Chambers, at Austin, Sept. 26, 1864.

The applicant was enrolled as a conscript, and sworn into the military service of the Confederate States, Sept. 22d 1862, by Capt. Hardeman, Enrolling Officer of Travis county. He was then furloughed by said Enrolling Officer, to work as a journeyman printer, which occupation he continued to follow, until the 19th of this month and year. Two days before he ceased to be a printer, he sought, and was appointed Deputy Clerk of the District Court of Travis county. Five days after applicant was appointed Deputy Dist. Clk. Thos. H. Buckner, the respondent, arested him, as Enrolling Officer of Travis County, with the view, and for the purpose, of sending him to a camp of instruction - holding that he was subject to his orders as an enrolled conscript, under the enrollment of Capt. Hardeman, in 1862.

The only question presented by the facts of this case for adjudication is, whether the swearing of applicant into the military service of the Confederate States in 1862, and taking a description list of his person and occupation, at the calls of Capt. Hardeman, Enrolling Officer of Travis County, was within the scope of the duties and powers of the Enrolling officer of Travis county, under an act of the Confederate Congress "entitled an act to exempt certain persons from enrollment, for service in

the armies of the Confederate States," approved April 21st 1862.

Under this law, journeyman printers actually employed in printing newspapers, and certain other characters, "who may be exempted by the Secretary of War, it is declared "shall be, and are hereby exempt from military service in the Armies of the Confederate States." In the argument of this case the learned counsel have overlooked, in the discussion of the preceding provisions of the act of Congress above quoted, the important words, "who may be exempted by the Secretary of War," which precede and limit the latter part of the same sentence, which declares that journeyman printers actually employed in printing newspapers, without other, "shall be, and are hereby exempt from military service in the armies of the Confederate States. It may justly be held, that that portion of this act, which makes the exemption of Confederate and State officers, depends on the pleasure of the Secretary of War, is liable to the objection of being unconstitutional, but this will not render the law null and void in its other provisions, when they are not liable to the same objection.

It then follows that Congress had the right and power, to conscribe into the Army journeyman printers, and to declare that they may be exempted by the Secretary of War. I have not been furnished by the Counsel on either side, with any orders from the Secretary of War, authorizing or prohibiting Enrolling Officers from enrolling and swearing into the C. S. Army journeyman printers, and furloughing them while actually employed in that business. Neither have I been shown, or been able to find, any order or other publication, from the Secretary of War, exempting persons of this class from military service, and if none such has been issued, it follows that they were liable to conscription.

The most reasonable presumption to be indulged, is that Capt. Hardeman had instructions to enroll and swear into the service of the persons of the class of the applicant and that his enrollment, in 1862, was legal and binding. It is, therefore, ordered and decreed, that applicant be remanded to the custody of Lt. Thos. H. Buckner Cavalry Officer of Travis county, to be sent to the Camp of Instruction, and that applicant pay all costs of this proceeding.

Applicant's Counsel except to the Judgment of the Court, and gives notice of appeal.

A. D. McGinnis
Judge 2d Jud. Dist

District Court Minutes, Fall Term, Dec 5th 1864.

The State of Texas } at a Term of the District Court begun and holden
County of Travis } at the City of Austin, on the 5th day of December, 1864,
the same being on the 9th Monday after the first Monday in October, A.D. 1864,
and the time appointed by law for the meeting of the Fall Term of the said
Court, the Honorable the District Court of said county and State met at the
Courthouse thereof, in the City of Austin, pursuant to law. Present, the
Hon. A. D. McGinnis, Judge of the 2d Judicial District, presiding. Frank
Brown, clerk of the District Court of Travis County, and Thomas C. Collins,
Sheriff.

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

The regular Venire facias having been duly issued and
returned into Court, endorsed with the Sheriff's return, showing that
the Grand Jurors therein named had been duly summoned; and it
also appearing that the said grand jurors had been duly selected by
the County Court, in accordance with law - the Court ordered that the
names of said jurors be called. Whereupon they were called. Where-
upon the names of the persons appearing upon the said regular venire
facias being called, there was found a sufficient number to complete
the panel of grand jurymen - the names of said Grand Jurymen so
summoned, and in attendance as aforesaid, being as follows:
Grand Jury. James Manor, 1 C. O. Davis, 2 F. Jourdan, 3 Charles Barnes, 4 H. F. Wells, 5
Thomas N. Jones, 6 A. M. Davidson, 7 James Norwood, 8 John E. Mowmekle, 9 J. H.
Benson, 10 Joseph Martin, 11 John Meeks, 12 Wm. Triplett, 13 Joshua Patterson, 14 John
H. Wacker, 15 C. Spalding. 16

And the Grand Jurymen so summoned, as aforesaid,
our said Regular ~~Special~~ Venire, being duly examined, tried and sworn,
as to their qualifications, and each of said persons being found pos-
sessed of each and every qualification required by law, they were
duly and legally sworn and constituted the Grand Jury of Travis
county for and during the present term of this Court. And thereupon
the Court appointed James Manor, as foreman of the said Grand
Jury, who were duly charged as to the duties devolving upon them.
whereupon they were ordered to retire upon a discharge of their
duties.

And thereupon, It is ordered by the Court, that
the Criminal Docket be set for hearing and trial on next Thursday
morning, at ten o'clock.

Ordered, further, that a special Venire issue return-
able next Thursday morning, at 10 o'clock for twenty four jurors
to serve as the petit jury.

And thereupon It is further ordered that Court
stand adjourned till Wednesday morning 10 o'clock

Wednesday Dec 8, 1864

Court convened at 9 o'clock, A. M. pursuant to adjourn-
ment. Present the Hon. A. D. McGinnis, Judge 2d Jud. District,
presiding; Frank Brown, clerk, and Thomas C. Collins, Sheff
whereupon the following proceedings were had by said Court, to wit:

District Court Minutes, Fall Term, Dec 7 1864

2270	Thomas Stayton v. Nancy J. Stayton	Plaintiff / Defendant	Ordered, on motion, that the defendant, in this cause, have leave to file an amended answer.
1524	The State of Texas v. Louis, a Slave	Plaintiff / Defendant	Ordered, that a Special Venire issue in this case for 36 Jurors in this case returnable on next Monday 9 o'clock, A.M.
2270	Thomas Stayton vs. Nancy J. Stayton	Plaintiff / Defendant	And now at this day came the parties plaintiff and defendant, by their respective attorneys, and announced ready for trial. Whereupon came a Jury of twelve good and lawful men of Travis county, to wit: Leander Brown, foreman, and eleven others, who were duly tried, elected, empannelled and sworn according to law. And the said Jury having heard the pleadings read, the evidence, argument of Counsel, and being charged by the Court, retired to consider of their verdict. Whereupon the Jury returned into Court the following verdict, to wit:

1. We, the Jury, find that the parties were married in 1857. 2. That Defendant has voluntarily left the bed and board of plaintiff, for over three years before the institution of this suit, with the intention of abandonment. L. Brown, foreman."

Whereupon, It is Considered, ordered, adjudged and decreed by the Court, that the bonds of matrimony heretofore existing between the plaintiff and Defendant, be, and the same are hereby forever dissolved, and that the relation of man and wife heretofore existing between the said parties, is declared to be no longer in existence

It is further ordered by the Court that the custody of the child of the parties, Lenny Young be decreed to the plaintiff, Thomas Stayton; and that the custody of the child of the parties Araminta Ann, be decreed to the defendant, Nancy J. Stayton, and that each of said parties is prohibited from any interference with the other in the possession, care and education of the children decreed hereby to the custody of the parties

It is further ordered by the Court that the cost of this proceeding be adjudged against the plaintiff, Thomas Stayton, for which execution may issue ~~when the law permits~~

And ordered that Court stand adjourned till tomorrow morning 9 o'clock A.M.

Thursday, Dec. 8, 1864

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

2239	The State of Texas v. John C. Saunders, et al.	Plaintiff / Defendants	And now on this day came the parties by their attorneys, and on motion it is ordered that the forfeiture had in this cause against the defendants be set aside, vacated and held for naught, and that the defendants, John C. Saunders, S. Crosby and J. E. Boulden, pay the cost of this proceeding for which execution may issue

1394	The State of Texas v. Ben. Hines	Continued for service
1395	The State of Texas v. Ben Hines	Continued for service
1396	The State of Texas v. Ben Hines	Continued for service
1397	The State of Texas v. Ben Hines et al.	Cont'd for service
1398	The State of Texas v. Ben Hines et al	Cont'd for serv

District Court Minutes, Fall Term, Dec 6th 1864.

1399	The State v. Hines et al	Cont'd for service	
1400	The State v. Hines	Cont'd for service	
1401	The State v. Bowles et al	Cont'd for service	
1402	The State v. Hines & Bowles	do	do
1403	do do	Scales et al	do do
1404	do do	do	do do do
1405	do do	do	do do do
1406	do do	Clerk	do do do
1407	do do	Scales	do do do
1408	do do	do	do do do
1409	do do	do	do do do
1410	do do	The State et al	Con. by operation of law as to Tate, and for service to other defts.
1413	do do	Bill Cokesbeck	Con for service
1418	do do	do	do do
1419	do do	Hines	do do
1420	do do	Schoefield	do do
1425	do do	Manchaca	do do
1426	do do	do	do do
1427	do do	do	do do
1428	do do	do	do do
1430	do do	Valades	do do
1431	do do	Cumby	do do
1432	do do	Curley	do do
1433	do do	Zimpleman	Con. by operation of law
1435	do do	Scott	Con. for service
1444	do do	De Normandie	do do
1445	do do	Tobin et al	do do
1447	do do	Smart	do do
1448	do do	Jno. E. Campbell	Con. by operation of law
1449	do do	Hines et al	Con. for service
1450	do do	Hines et al	do do
1451	do do	do do	do do
1452	do do	Fox & Jones	do do
1453	do do	do	do do
1454	do do	do	do do
1455	do do	do	do do
1456	do do	do	do do
1457	do do	do	do do
1458	do do	do	do do
1459	do do	do	do do
1460	do do	do	do do
1462	do do	Tobin	do do
1463	do do	do	do do
1464	do do	do	do do
1465	do do	do	do do
1466	do do	do	do do
1467	do do	do	do do
1468	do do	Martin	do do
1470	do do	Young	Con. by consent
1472	do do	Austin	" " operation of law
1474	do do	Kirk	Con. for service

District Court Minutes, Fall Term, Dec. 8th 1864

1475	The State of Texas	v.	Sam Wood.	Cont'd by operation of law	
1476	do	do	do	do	do
1477	do	do	Wm Boyd	Cont'd for servic	
1478	do	do	Lynch	" by operation of law	
1479	do	do	Jackson	" "	do do
1480	do	do	Pettit	Con for servic	
1482	do	do	Ferguson	do	do
1483	do	do	Wilson	do	do
1485	do	do	Lynch	do	do
1486	do	do	Lynch	do	dy operation of law
1487	do	do	Hudson et al	do	do do
1489	do	do	Hurley	Con. for servic	
1490	do	do	Adkins	" by operation of law	
1491	do	do	Payne	" for servic	
1492	do	do	McCutchan	" "	"
1494	do	do	Pray	do	do
1495	do	do	do	do	do
1497	do	do	Puckett	do	do
1501	do	do	Payne	do	do
1502	do	do	Hines et al	do	do
1503	do	do	Jones	Con by operation of law	
1504	do	do	Lewis Shaw	" for servic	
1505	do	do	Norris	" "	"
1506	do	do	Jones	Con by operation of law	
1507	do	do	Dibrell	Con. for servic	
1509	do	do	Gonzales	do	
1510	do	do	Clifton	do	
1511	do	do	Robinson	do	
1512	do	do	do	do	
1513	do	do	do	do	
1514	do	do	do	do	
1515	do	do	Hughes	Con by the State	
1518	do	do	Rogers	Con for servic	
1519	do	do	Robinson	do	
1520	do	do	Owen et al	do	
1521	do	do	Robinson et al	do	
1522	do	do	do	do	
1523	do	do	Bayard	do	

1441 The State of Texas } Plaintiff
v
W P de Normandie } Defendant

This cause being called for trial the defendant, W.P. de Normandie failing to appear and answer to the Indictment in this case, he and his security, F.M. Chandler being distinctly called at the door of the Courthouse of Travis county, and the defendant, after a reasonable length of time, still failed to appear And it appearing to the Court that the defendant, W. P. de Normandie with the said F. M. Chandler as his security, did execute the Bail Bond, on file in this case substantially as follows Dated 15th day of June, 1861, payable unto The State of Texas in the sum of One hundred dollars, conditioned that the said defendant W.P. de Normandie make his personal appearance at the District Court of said County of Travis

District Court Minutes, Fall Term, Dec 8th 186 4

on then in session, at the Courthouse thereof in Austin, To answer the Indictment preferred against him by the Grand Jury of Travis county, at the Spring Term, A. D. 1861, for playing at a game with cards called Bastow in a public house, and there remaining from day to day, and from term to term of said Court, and that he do not depart thence without leave of said Court, which said bond is forfeited. And it is considered by the Court that the State of Texas do have and recover of the said W. P. de Normandie the said sum of One Hundred Dollars, and of his said security the sum of One hundred dollars, and that this Judgment will be made final unless good cause be shown at the next term of this Court why the said defendant, W. P de Normandie, did not appear. Case certs and capias ordered.

1442 — The State of Texas v. W. P. de Normandie } Plaintiff / Defendant } This cause being called for trial the defendant, W. P de Normandie failing to appear and answer to the indictment in this case, he and his security, F. W. Chandler, being distinctly called at the door of the Courthouse of Travis county, and the defendant, after a reasonable length of time, still failed to appear. And it appearing to the Court that the defendant, W. P de Normandie, with the said F. W. Chandler as his security, did execute the Bail Bond on file in this case substantially as follows. Dated 15th day of June, 1861. payable unto The State of Texas in the sum of one Hundred Dollars, conditioned that the said defendant, W. P de Normandie, make his personal appearance at the District Court of said County of Travis then in session at the Courthouse thereof in Austin, to answer the Indictment preferred against him by the Grand Jury of Travis county, at the Spring Term, A. D. 1861, for playing at a game with cards called Bastow in a public house; and there remain from day to day, and from term to term of said Court, and that he do not depart thence without leave of said Court - which said bond is forfeited. And it is considered by the Court that the State of Texas do have and recover of the said W. P. de Normandie the said sum of One hundred dollars, and of his said security the sum of One hundred dollars, and that this Judgment will be made final unless good cause be shown at the next term of this Court why the said defendant, W. P de Normandie, did not appear. Case certs and capias ordered.

1488 — The State of Texas v. James M. Sims } Plff / Deft } It appearing that the witnesses J. H. Fitzhugh, Robert Lunch and W B Nichols have been subpoened as witnesses in this case in behalf of the State, and have failed to appear, adjudged that they, and each of them, be fined one hundred dollars for non attendance, and that Scire facias issue to them, returnable to the next term of this Court, commanding them to appear and show cause, if any they can, why this said judgment should not be made final against them, as aforesaid. and that attachments issue for them. and case continued by the State.

1493 — The State of Texas v. R J Tomes } Plff / Deft } The exceptions filed by the defendant in this cause, to the sufficiency of the Indictment are overruled. Attachments ordered for the witnesses Thomas Warren and J S Ray to Travis Co. and to Bennet county for Joseph Smith.

District Court Minutes, Fall Term, Dec 8th 1864

1496 — The State of Texas v. James P. Neal — Pltff / Deft — attachment ordered for Wm A. Hasselman returnable to next term of this Court, and case continued by the State.

1499 — The State of Texas v. John Saunders — Pltff / Deft — and now at this day came the parties by attorney and announced themselves ready for trial. Then came a Jury of 12 good and lawful men of Travis County, consisting of L. Brown and eleven others, who were duly tried, empannelled and sworn according to law. And the Jury having heard Defendants plea of guilty and the Charge of the Court, returned the following verdict: "We, the Jury, assess the fine at five dollars. L. Brown, Foreman." Whereupon It is ordered and decreed by the Court, that the State of Texas do have and recover of and from the Defendant, John C. Saunders, the said sum of Five Dollars and the cost of this proceeding, and that he remain in the custody of the Sheriff until the same are paid.

1500 — The State of Texas v. L. D. Carrington — Pltff / Deft — and now at this day came the parties by attorney and announced ready for trial. Then came a Jury of 12 good and lawful men of Travis county, consisting of L. Brown, Foreman, and eleven others, who were duly tried, empannelled and sworn according to law. And the Jury having heard the defts. plea of guilty and the Charge of the Court, returned the following verdict "We, the Jury, assess the fine against the defendant, at five hundred Dollars. L. Brown, Foreman." Whereupon It is ordered that the State of Texas do have and recover of and from the defendant, L. D. Carrington, the said sum of Five Hundred Dollars and the cost of the suit, and that he remain in the custody of the Sheriff until the same are paid.

1516 — The State of Texas v. Wm Engle — Pltff / Deft — attachment ordered for the witnesses J. T. Brown and J. M. Bennett, having been subpoened and case continued by the State. And Court adjourned till 9 o'clock AM tomorrow to adjt. Result the same as yesterday. Thursday, Dec. 9, 1864. Court convened at 9 o'clock AM pursuant to adjt. Whereupon the following proceedings were had by the Court, to wit: And now on this day came into Court the Grand Jury, duly elected, tried, empannelled, sworn and charged for and during the present term of this Court, and presented through their foreman to the Court the following Bill of Indictment, to wit:

1525 — The State of Texas v. William Barnes — Pltff / Deft — Slaughtering Beeves for the market in the City of Austin without returning a list of the marks and brands of said Beeves & the names of the owners to the Co. Clk Travis Co.

1526 — The State of Texas v. R. H. Rick — Pltff / Deft — Slaughtering Beeves without returning a list to the Co. Clerk of Travis County of the marks and brands of said Beeves and the names of persons from whom purchased

1527 — The State of Texas v. J. M. Berryman — Pltff / Deft — Aggravated Assault and Battery

1528 — The State of Texas v. John Rapp and Benjamin Thompson — Pltff / Deft — Murder

District Court Minutes, Fall Term, Dec 9th 1864

1529 — The State of Texas v. Milam Duty — Deff / Deft — Assault with intent to Kill and murder one William Rubsill

1530 — The State of Texas v. Thomas Lankshead — Deff / Deft — Impressing corn without lawful authority, and failing to pay a just compensation to the owner for said corn.

1531 — The State of Texas v. Shadrack, a Slave — Deff / Deft — Murder

1532 — The State of Texas v. James Sims — Deff / Deft — assault with intent to Kill and murder

1533 — The State of Texas v. Joe Locksanger — Deff / Deft — Slaughtering Beeves for the market in the City of Austin without returning to the Clerk of the County Court of Travis County a list of marks & brands of said Beeves how & from purchased

1534 — The State of Texas v. Charles Krohn — Deff / Deft — Slaughtering Beeves without returning list of marks and brands of said Beeves and names of persons from whom purchased to the County Clerk

1535 — The State of Texas v. A B Pearce — Deff / Deft — Placing Slave in Charge of a farm detached from the residence of the owner without Keeping a free white person in Charge of said farm

And the Grand Jury having suggested that there is no further business before them, It is ordered that they be discharged.

1958 — Susan L. Ward v. Thos. Wm Ward — Deff / Deft — On motion of the Defendant, and because it appears to the Court that the defendants attorneys are in the service, and the inability of the present counsel to inform himself about the case, owing to the Plff Counsel having the papers in the case ever since his employment said papers being very voluminous, It is ordered that the case be continued. And the motion to proceed to trial upon the ground that the case is not within the inhibitions of the stay law, was first sustained. And the parties have leave to amend their pleadings.

2249 — The State of Texas v. W H Bridges — Deff / Deft — Ordered that the fine in this case be remitted, that the defendant go hence and the case dismissed

2250 — The State of Texas v. David Epperson — Deff / Deft — ordered, on motion, that the fine in this case be set aside, on defendants showing; but that he pay the cost of the proceeding for which execution may issue

District Court Minutes, Fall Term, Dec'g 1864

2251	The State of Texas v. R. M. Johnson	Pff / Deft	Continued per curiae	
2252	The State v. Thos. H. Bacon		Continued per curia	
2253	The State v. Jno B Banks		Continued generally	
2254	The State v. Miller		Continued generally	
2255	The State of Texas v. J T Robinson et al		Continued per curiae	
2256	The State of Texas v	do		do
2257	do	do	do	do
2258	do	do	do	do
2249	J. B. Russell v. Jas Kirs Davis	Pff / Deft	ordered on motion of plaintiffs counsel It is ordered that this cause be dismissed from the docket, and that the Plaintiff pay all the cost of the cause for which execution may issue.	
1524	The State of Texas v. Lewis a Slave	Pff / Deft	Ordered that this cause be set for trial on next Monday morning at 9 o'clock, and that a special Venire issue for 36 Jurors.	
1528	The State of Texas v. Rapp & Thompson	Pff / Deft	ordered that a Special Venire issue in this case for 36 Jurors, returnable and that the case be set for trial at 11 o'clock, Monday morning next	
1531	The State of Texas v. Shadrack, a Slave	Pff / Deft	Ordered that a Special Venire issue in this case for 36 Jurors and that the case be set for trial at 1 o'clock, P.M. next Monday.	
1469	The State of Texas v. Lee, a Slave	Plaintiff / Defendant	And now on this day came into Court B. D. Bonner, J. R. Bonner and L. T. Ford, and each of them acknowledged themself justly to owe and be indebted unto The State of Texas in the sum of five hundred Dollars, to be levied upon this ~~his~~ goods and chattels, lands and tenements, But to be void, nevertheless, upon condition, that each of them be and personally appear before the Honorable the District Court of Travis county, to be held at the Courthouse thereof, in the City of Austin, on the 11th ~~8th~~ Monday after the first Monday in March, 1865, and from day to day and from term to term thereafter, to testify on behalf of the defendant, in the above entitled cause of The State of Texas v. Lee, a Slave, charged with Murder, and that they do not depart the Court without leave	
1469	The State of Texas v. Lee, a Slave	Plaintiff / Defendant	Ordered, by the Court that attachments issue, in this cause, to Williamson county, for the witness Wayne Graham, N. S. Fiedler, W. Anderson, Lydia Robinson, John C. Black and James G. Harrell, in behalf of the plaintiff, returnable to the next term of this Court.	
1469	The State of Texas v. Lee, a Slave	Plaintiff / Defendant	It appearing to the Court that on the 16th day of December 1864, the witness Lydia Robinson, in this case, appeared in open Court, and entered into Recognizance, in the sum of Five Hundred Dollars, as a witness on behalf of the plaintiff, in the above entitled cause,	

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to appear at the Courthouse in Austin, on the 9th Monday after the first Monday in April 1862, and from day to day, and from term to term thereafter, to give evidence on behalf of the plaintiff in said cause and not to depart the Court without leave. And it further appearing that the said cause being, at this term, called for trial, and the said Lydia Robinson, ~~for~~ after ~~as~~ was being called at the Courthouse door, and, after a reasonable length of time, failed to appear, It is, therefore, ordered, by the Court that the Recognizance of the said Lydia Robertson be, forfeited, and that the State of Texas do have and recover of and from the said Lydia Robertson the said sum of Five Hundred Dollars, and that Scire facias do issue, returnable to the next term of this Court, commanding the said Lydia Robinson to appear and then cause, if any she can, why this Judgment should not be made final against her as aforesaid.

1469

The State of Texas } Plaintiff
v.
Lee, a Slave } Defendant

It appearing to the Court, that on the 16th day of December, 1861, the witness, J. W. Graham, in this case, appeared in open Court, and entered into Recognizance, in the sum of Five Hundred Dollars, as a witness on behalf of the plaintiff, in the above entitled cause, to appear at the Courthouse in Austin, on the 9th Monday after the first Monday in April, 1862, and from day to day, and from term to term thereafter, to give evidence on behalf of the plaintiff in said cause, and not to depart the Court without leave. And it further appearing that the said cause being, at this term, called for trial, and the said ~~Lydia Robinson~~ J. W. Graham being called at the Courthouse door, and, after a reasonable length of time, failed to appear. It is, therefore, ordered by the Court, that the Recognizance of the said ~~Lydia Rob~~ J. W. Graham be forfeited, and that the State of Texas do have and recover of and from the said ~~Lydia Rob~~ J. W. Graham the said sum of Five Hundred Dollars, and that Scire facias do issue, returnable to the next term of this Court, commanding the said ~~Lydia~~ J. W. Graham ~~Robinson~~ to appear and then cause, if any he can, why this Judgment should not be made final against him as aforesaid.

1469

The State of Texas } Plaintiff
v.
Lee, a Slave } Defendant

It appearing to the Court, that on the 16th day of December, 1861, the witness, N. S. Tisdale, in this case, appeared in open Court, and entered into Recognizance, in the sum of Five Hundred Dollars, as a witness on behalf of the plaintiff, in the above entitled cause, to appear at the Courthouse in Austin, on the 9th Monday after the first Monday in April, 1862, and from day to day, and from term to term thereafter, to give evidence on behalf of the plaintiff, in said cause, and not to depart the Court without leave. And it further appearing that the said cause being, at this term, called for trial, and the said J. W. Graham being called at the Courthouse door, and, after a reasonable length of time, failed to appear. It is, therefore, ordered by the Court, that the Recognizance of the said ~~J. W. Graham~~ N. S. Tisdale be forfeited, and that the State of Texas do have and recover of and from the said N. S. Tisdale, the said sum of Five Hundred Dollars, and that Scire facias do issue, returnable to the next term of this Court, commanding the said N. S. Tisdale to appear and then cause, if any he can, why this Judgment should not be made final against him as aforesaid.

1469

The State of Texas } Plff
v.
Lee, a Slave } Deft

It appearing to the Court, that on the 16th day of December, 1861, the witness, James G. Harrell, in this case, appeared in open Court, and entered into Recognizance, in the sum of Five Hundred Dollars, as a witness on behalf of the plaintiff, in the above entitled cause, to appear at the Courthouse in Austin, on the 9th Monday after the first Monday in April, 1862, and from day to day, and from term to term thereafter, to give evidence on behalf of the plaintiff, in said cause, and not to depart the Court without leave. And it further appearing that the said cause being, at this term, called for trial, and the said James G. Harrell being called at the Courthouse door, and, after a reasonable length of time, failed to appear.

District Court Minutes, Fall Term, Dec 10th 1864.

It is, therefore, ordered by the Court, that the Recognizance of the said James G. Hamell be, and the same is forfeited, and that the State of Texas do have and recover of and from the said James G. Hamell the said sum of Five Hundred Dollars, and that Scire facias do issue to him, returnable to the next term of this Court, commanding him to appear and show cause, if any he can, why this judgment should not be made final against him as aforesaid,

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

Saturday, Dec. 10, 1864

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

1535 The State of Texas } Plff
v. } Deft
A B Pearce } Deft

And now on this day came the parties by their attorneys, and announced ready for trial. Whereupon came a Jury of 12 good and lawful men of Travis county, who were elected, tried, empannelled and sworn according to law. And the Jury having heard the defendant's plea of guilty, and being charged by the Court, returned the following verdict, to wit: "We, the Jury, assess the fine against the Defendant at seventy five Dollars. L. Brown, foreman." Whereupon, It is considered by the Court, that the State of Texas do have and recover of and from the defendant, A. B. Pearce, the said sum of Seventy-five Dollars, and the cost of the proceedings, and that he remain in the custody of the Sheriff until the same are paid.

2253 The State of Texas } Plff
v. } Deft
John B. Banks } Deft

And now come the parties by attorney, and by consent, Ordered, that the continuance entered in this cause, at this term, be set aside; and the answer of defendant being filed, and considered, It is ordered that the fine in this cause be set aside, and that the defendant pay the cost of the proceeding, for which execution may issue.

1529 The State of Texas v. Milano Daly. Cont'd for service, and capias ordered to Parker Co.
1527 do do v. J. M. Berry et al. Cont'd by consent.

1526 The State of Texas } Plaintiff
v. }
R. H. Peck } Defendant

And now on 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, consisting of L. Brown, foreman and eleven others, who were duly tried, elected, empannelled and sworn as the law prescribes. And the Jury having heard the Defendants plea of guilty, and the charge of the Court, returned the following verdict, to wit. "We, the Jury, assess the fine against the defendant at fifty dollars, L. Brown, foreman." Whereupon, It is ordered, adjudged and decreed by the Court, that the State of Texas do have and recover of and from the said R. H. Peck, the sum of fifty Dollars and the cost of this proceeding, for which execution and that the defendant remain in custody of the Sheriff until the same are paid.

2271 John M. Lunett } Plaintiff
v. }
T. Crosby, Com. Gen'l of } Defendant

And now comes the plff, and on motion It is ordered that he have leave to amend his petition. And thereupon also came the defendant, and the said plaintiff and defendant announce themselves ready for trial; and waiving a Jury, submit the case to the Court. And the

District Court Minutes, Travis Term, Dec 10 1864

Court having heard the evidence introduced by the parties, and the pleadings, and the argument of counsel upon the points arising in the case and having duly considered the same, It is ordered, adjudged and decreed, that the said mandamus be refused; that the plaintiff take nothing in this behalf; that the cause be dismissed from the docket; that the defendant go hence and have and recover of and from the said plaintiff, John M. Dunnet and his security for cost, M. L. Brizzolara all cost in this behalf incurred, for which execution may issue. And the plaintiff gives notice, in open Court, of an appeal to the Supreme Court.

2243 The State of Texas v. Jno. M. Swisher et al. — Plff. / Deft. — Cont'd by consent.

2261 Baird & wife v. Thomas — Plaintiff / Deft. — And now on this day came the parties by their attorneys, and submitted to the Court the motion to dissolve the Injunction in this cause. And the points arising on the motion being argued and duly considered by the Court, It is ordered that the same be overruled.

2261 S. M. Baird & wife v. Jno. M. Thomas — Plaintiffs / Defendant — And now at this day came the parties by their attorneys, and announced themselves ready for trial. Whereupon came a jury of twelve good and lawful men of Travis county, consisting of L. Brown, foreman, and eleven others who were duly tried, elected, empannelled and sworn according to Law. And the Jury having heard the pleadings, the evidence, argument of counsel, and being charged by the Court, as to the law, and special issues being presented, retired to consider of their verdict. And thereupon the Jury returned into Court the following verdict, to wit:

1st. We, the Jury, find that there was a contract made between the parties for one year, at forty dollars per month, in Confederate money, payable monthly.

2d. That we find that plaintiff has paid two Hundred Dollars in Confederate money and five dollars in Specie

2d. That Confederate money in June was worth thirty five for one - (in Specie.)

3d. We find that plaintiffs have not occupied a lot or lots of Defendant not embraced in the contract.

L. Brown, foreman.

The $150 - Confed. Notes, in this case have been paid into Court by defts. for the use of pltf. is credited on the execution, @ $20 for $1 - making $7.50 Bonus

It is, therefore, considered by the Court that the injunction granted in said cause be perpetuated; that the defendant be, and is hereby prohibited and restrained from molesting and disturbing the plaintiffs in the use, enjoyment and possession of the premises now occupied by the said plaintiffs, and more particularly set forth in their petitions, by suit or otherwise - and the said Defendants remain in the quiet enjoyment and possession of the same until the first day of January, 1865.

And it appearing to the satisfaction of the Court that the plaintiffs have paid the said defendant the rent of said premises for the year 1864, up to the first day of September, 1864, and the sum of ten dollars in addition on the rent of September - and that there is due, on the rent of said premises, the rent thereof, at the rate of forty dollars per month from the first day of September, 1864, in Confederate States Treasury Notes, less ten dollars paid on the rent. It is, therefore, ordered by the Court, that the plaintiff recover with the said defendant the balance of the rent of said premises, at the rate of forty dollars per month, from the first day of Sept., 1864, less ten dollars already advanced as aforesaid.

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It is further ordered by the Court that the plaintiffs have the privilege of paying balance of the rent due upon said premises, into Court, and take the Clerk's receipt therefor.

It is further ordered that the plaintiffs do have and recover of and from the defendant, Jno. M Thomas, all the cost of this suit, for which execution may issue.

And Court adjourned till Monday morning 10 o'clock

Monday, December 12, 1864

Court convened at 10 o'clock, A. M. pursuant to adjournment. Present the same as on Saturday. Whereupon the following proceedings were had by the Court, to wit:

2230 Alice Smyth v. Robert Smyth } Plff / Deft } And now comes the Clerk, and, on his motion, It is considered by the Court that the plff in this suit be required to enter into bond and security for the cost of this suit, on or before the next term of this Court, otherwise the suit will be dismissed, and this cause come duly.

1524 The State of Texas v. Lewis, a Slave } Plff / Deft } This cause continued on the application of the defendant, by affidavit.
And now on this day appeared in open Court W. K. McKenzie, W. J. Peace, Lucy Peace and Wm Huddleston and E. S Powell, and they and each of them acknowledged himself and herself justly to owe and be indebted unto The State of Texas in the sum of five hundred Dollars each, to be levied upon their ~~real~~ goods and chattels, lands and tenements, But to be void, nevertheless, if the said parties shall personally appear at the next term of the District Court of Travis County, to be held at the Courthouse thereof, in Austin, on the 10th Monday after the first Monday in March, 1865, and from day to day and from term to term thereafter, to give evidence on behalf of the Defendant in the above entitled cause of The State of Texas v. Lewis, a Slave, charged with Murder, and that they do not depart the Court without leave.

And also came into Court on this day, F. C. Berry, A. R. Berry and W. B. Berry, and each of them acknowledged himself 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, nevertheless, on condition that the said parties shall personally appear at the next term of the District Court of Travis County to be held at the Courthouse thereof, in Austin, on the 10th Monday after the first Monday in March, 1865, and from day to day and from term to term thereafter, to give evidence on behalf of the plaintiff in the above entitled cause of The State of Texas v. Lewis, a Slave, charged with murder, and that they do not depart the Court without leave.

1525 The State of Texas v. Wm Barnes } Plaintiff / Defendant } Continued by the Defendant.

District Court Minutes, Fall Term, Dec 12 1864

1528 The State of Texas v. Ralph Thompson } Plaintiff / Defendant } Continued by the State.

1530 The State of Texas v. Thomas Lambshead } Plaintiff / Defendant } And now at this day came the parties by attorney, and the defendant submitted to the Court his exceptions to the Indictment in this cause. And the Court having duly considered the same, It is ordered that said exceptions be sustained; that the cause be dismissed from the docket, and that the defendant go hence discharged.

1531 The State of Texas v. Shadrack, a Slave } Plaintiff / Defendant } Continued by the State

1532 The State of Texas v. James Sims } Plaintiff / Defendant } Continued as on the affidavit of deft.

1533 The State of Texas v. Joe Lochanger } Plff. / Deft } Continued for service

1534 The State of Texas v. C. Krohn } Plaintiff / Defendant } And now on this day came the parties by their attorneys and announced themselves ready for trial. And then came a Jury of twelve good and lawful men of Travis county, consisting of L. Brown, foreman, and eleven others, who were duly tried, elected, empannelled and sworn as the law prescribes. And the Jury having heard the defendants plea of guilty and the charge of the Court, returned the following verdict, to wit: "We, the Jury, assess the fine against the defendant at fifty dollars. L. Brown, foreman."

Whereupon, It is ordered by the Court that the State of Texas do have and recover of and from the defendant, C. Krohn, the said sum of fifty dollars, and the cost of this proceeding, and that he remain in the custody of the Sheriff until the same are paid.

1577 The State of Texas v. Geo. W. Morris } Plaintiff / Defendant } On motion of the District Attorney, filed in this cause, It is ordered by the Court, that the Entry of the Judgment in this cause be so amended as to read as follows, said verdict having been returned, in said cause, on the 14th day of June, 1864- "It is, therefore, ordered by the Court, that, in accordance with the verdict of the Jury returned in this cause, that the State of Texas do have and recover of and from the defendant, George W. Morris, the sum of five hundred Dollars, and the cost of this proceeding, and that the defendant remain in the custody of the Sheriff until the same be paid in full

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

Tuesday, Dec. 13th 1864.

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

District Court Minutes; Fall Term, Dec 13th 1864.

Jury Service at the Fall Term, 1864

	Grand Jury.			Petit Jury.		
1	James Manor	5 days	$ 7.50	1. S. M. Berryman	7. days	$ 10.50
2	G. W. Davis	" "	7.50	2. R. H. Pick	7 "	10.50
3	Fred. Jordan	" "	7.50	3. C. C. Browning	7 "	10.50
4	Chas. Barnes	" "	7.50	4. J. B. Thaxton	7 "	10.50
5	W. H. Wells	" "	7.50	5. L. Brown	7 "	10.50
6	T. H. Jones	" "	7.50	6. M. Byrnes	7 "	10.50
7	A. M. Davidson	" "	7.50	7. H. C. Benjamin	7 "	10.50
8	J. Norwood	" "	7.50	8. J. P. Cape	7 "	10.50
9	J. E. Mowinckle	" "	7.50	9. C. Donnely	7 "	10.50
10	J. H. Benson	" "	7.50	10. J. A. Flock	7 "	10.50
11	Jos. Martin	" "	7.50	11. H. Grear	2 "	3.00
12	John Meeks	" "	7.50	12. J. Lensing	7 "	10.50
13	Wm. aliphant	" "	7.50	13. Isam Harris	7 "	10.50
14	Joshua Patterson	" "	7.50	14. W. G. Lyman	5 "	7.50
15	John H. Walker	" "	7.50			
16	C. Spalding	" "	7.50			
	Total Gd. Jury		$120.00	Total Petit Jury Servic		136.50
			136.50			
			$256.50			

Jury fund 15¢ a day in Jy Wk. $25.00
" " 3/pr - - - Sheriff 5.98
$30.98

Total servic $256.50
Def for Rate 30.98 225.52
$256.50

1528

The State of Texas } Plaintiff
v.
Rapp & Thompson } Defendants

The motion of the defendants in this cause, for bail, coming on to be heard, & the Court having heard the evidence and duly considered the same, It is ordered that the said defendants be admitted to bail, in the sum of $10.000 each.

And now on this day appears in open Court the said defendants, John Rapp and Benjamin Thompson, in the above entitled cause, and they have brought with him into Court, L. D. Carrington, Ed. Christian Ed. Christian, O. H. Millican, and S. G. Creed as securities, and they, the said Rapp & Thompson as principals, and the said L. D. Carrington, Ed. Christian, O. H. Millican & S. G. Creed as securities, acknowledged themselves jointly and severally, justly to owe and be indebted unto the State of Texas, in the sum of ten thousand dollars, to be levied upon their respective goods and chattels, lands and tenements, But to be void, nevertheless, on condition that the said John Rapp make his personal appearance at the next term of the District Court of Travis county, to be held at the Courthouse thereof, in Austin, on the 4 tenth Monday after the first Monday in March, 1865, and from day to day, and from term to term thereafter, to answer the indictment preferred against him, the said Rapp, by the Grand Jurors of Travis county, at the fall term, 1864, for Murder, and that he do not depart the Court without leave.

District Court Minutes, Dec 13 Term, Dec 13 1864

2262 Thomas Wm Ward } Reff
v.
Susan L. Ward } Deft

On this day came on to be heard the motion to dissolve the Injunction in this cause. and the parties appeared by counsel, and argued the same. And it is ordered by the Court that Out Lot No. 45, in Division B, farm lot adjoining the City of Austin, containing forty acres, be immediately sold by the Sheriff, under order of sale, and the proceeds of said sale shall be paid to the defendant, Susan L. Ward, and to be applied to the payment of the monthly allowance for alimony allowed her heretofore by this Court, the said plaintiff, Thomas Wm Ward, agreeing in open Court, not to contest this sale on account of said farm lot being his separate property; and that the plff. Thomas Wm Ward, be authorized to point out to the Sheriff of Travis county such other community property to satisfy the remainder that may be due the said Susan L. Ward, for Alimony, for which purpose an order of sale against the property of said Thomas Wm Ward, will issue immediately on the adjournment of this Court. The motion in this case for dissolution of the Injunction is Taken under advisement.

Rust v. Johns. Continued generally

1958 Susan L. Ward v. Tho. Wm Ward. This motion is Taken under advisement.

2230 alice Smyth } Reff
v
Robert Smyth } Deft.

And now on this day came into Court the Parties by attorney; and the plaintiff submitted her motion for the appointment of a Receiver. And thereupon It is ordered by the Court that A. H. Cook pay to the Reff. Alice Smyth, the sum of three hundred dollars, if he owes the defendant that much - and that he is hereby restrained and prohibited from paying to said defendant any amount ~~he~~ may be owing him, and that he be served by the Sheriff, with a certified copy of this order, that the same may be duly obeyed, and recognized.

1528 The State of Texas } Plaintiff
v.
Ben. Thompson } Defendant

And now on this day appears in open Court, Benjamin Thompson, as Principal and D. Covington and Edward Christian, as securities for the said Thompson, and they and each of them acknowledged themselves jointly and severally justly to owe and be indebted unto The State of Texas in the sum of Ten Thousand Dollars, to be levied upon their respecting goods and chattels, lands and tenements, But to be void upon condition that the said Benjamin Thompson make his personal appearance at the next term of the District Court of Travis county, to be held at the Courthouse thereof, in Austin, on the fourth Monday after the first Monday in March, 1865, and from day to day and from term to term thereafter, to answer the Indictment preferred against him, the said Thompson, by the Grand Jurors of Travis county, at the fall term, 1864, for Murder, and that he do not depart the Court without leave.

The foregoing minutes of the proceedings of the present term having been examined and approved, It is ordered that this Court do now adjourn, and stand adjourned until the next regular term. Dec. 13th 1864.

A. H. McGinnis
Judge 2nd Jud. Dist

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The State of Texas } Be it Remembered, that on this the 4th day of April,
County of Travis } A. D. 1865, the following named persons were drawn to
serve as Jurors, at the Spring Term of the District Court of Travis county, A. D.
1865. by Frank Brown, clerk of the District Court of Travis county, and Aaron
F. Boyce, clerk of the County Court of Travis county, in the presence of E. Mc-
Laughlin, Esq, Justice of the Peace, in accordance with Article 1049, of Oldham
& White's Digest, to certify which, the said officers append their names below,
to wit

1 ~~Adam~~ Dew. D. L. Cross.	9 Ed. Tips.	17 H C Bengener
2 A. Balm	10 Jas. P. Hector.	18 Joseph Harrell.
3 H. Bennett	11 ~~Thos~~ Jno. T. Haynes.	19 Swante Palm
4 Miles Byrne	12 J. B. Benson	20 Theo. Pecht.
5 John Harbin	13 Sam Harris.	21 H. D Patton.
6 S. W. Goodrich	14 W. H. Tickert.	22 Elisha Smith.
7 E. Hausbrough, Jr.	15 E. Stockton	23 C. C. Browning.
8 W. H. Eagle.	16 W. R. Baker	24. John Steefo

Frank Brown, Clk. D.C.T.C.
E. McLaughlin J.P. Aaron F. Boyce. Clk. Co. Ct. Travis Co.

District Court Minutes, Term, 186

No 70 COUNTY TREASURER'S RECEIPT. $465.00

Received of Frank Brown Duncan Four hundred & Sixty-five
dollars in full in case 1577 v. G.W. Morris (the amount
due after paying G.W. Parchal his commissions as
Sheriff) at Spring term, 1864

y of ---------- 186--, to -------- day of ---------- 186---.

DER MY HAND, this 23d day of June 1864.

W.M. Cary

County Treasurer, Travis C...

District Court Minutes, Spring Term, May 15th 1865.

The State of Texas } Be it Remembered That on this the 15th day of May, A.D. 1865,
County of Travis } the Honorable the District Court of Travis County convened at the Courthouse thereof in the City of Austin, pursuant to law, the same being the Tenth Monday after the first Monday in March, A.D. 1865, and the time prescribed by law for the meeting of the Spring Term of said Court for the year 1865.

Present: The Hon. A.D. McGinnis, Judge of the Second Judicial District of the State of Texas, presiding as Judge of said Court; Frank Brown, Clerk of the District Court of said County, acting as such, and Thomas C. Collier, Sheriff of said County, acting as such.

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

The County Court, in accordance with law, having selected the Grand Jury to serve at the present term of this Court, and the Clerk of this Court, having duly issued the Regular Venire therefor, and the same having been duly served by the Sheriff, and returned into Court executed, the Court ordered that the names of the persons appearing upon said Venire be called by the Sheriff. And the names of the persons so called not being in sufficient number, to constitute the Grand Jury, the Court ordered, that the Sheriff summon a sufficient number from the panel of petit jurymen in attendance, to complete the panel of grand jurymen. Whereupon, the following named persons were called, who were duly summoned, as aforesaid, and being sworn, were found duly qualified, in terms of the law, to act as grand jury men, to wit:
John B. Banks; 1 P.H. Banks; 2 Isaac Wildbahn; 3 Thomas P. Washington; 4 C. Klein; 5 W.B. Nichols; 6 W.W. Wood; 7 W.P. Hardeman; 8 T. Matthews; 9 P.H. Raiford; 10 Kenney; 11 J.H. Matthews; 12 T.H. Jumio; 13 A. Bahn; 14 C.C. Browning; 15 M. Byrne; 16 E. Tipps; 17 J.P. Hector; 18

Whereupon the Court appointed John B. Banks as Foreman of the said Grand Jury. And thereupon the Court swore the said Grand Jurymen according to law, to discharge the duties of Grand Jurors at the present term of this Court

And thereupon the said Grand Jury, being so qualified, sworn and empannelled, in accordance with law, as aforesaid, were duly charged by the Court as to the duties devolving upon them, and ordered to retire, in charge of the Bailiff, upon a discharge of the same.

Ordered, that the Criminal Docket be set for trial on Friday morning next, at 9 o'clock A. Further ordered, that Special Venire issue for 40 Jurors to try the causes of The State of Texas v. Rapp & Thompson, The State of Texas v. Lee, a Slave, and The State of Texas v. Shedrack, a Slave.

And Court adjourned till Thursday morning next at 9 o'clock.

Thursday, May 18, 1865.

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

It is ordered by the Court (the Civil Docket being this day called) that in all causes be continued generally until the next term of this Court, except those in which the parties come into Court and consent to try.

F.W. Chandler	Plaintiff	Ordered, on motion, that this cause be dismissed from the docket, the cost in the same having been paid	
v.			
Wm. Schraeder	Defendant		
2178			

District Court Minutes, Spring Term, May 18 1865

V 2193	A D Griff & Co. v. Buaas & Kolbe	Plaintiff / Defendants	Ordered, on motion, that this cause be dismissed from the docket, the cost having been paid
V 2197	A D Griff & Co v. Buaas & Fox	Plaintiff / Defendants	Ordered, on motion, that this cause be dismissed from the docket, the cost having been paid.
V 2198 V	The State of Texas v. James Rogers	Plaintiff / Defendant	The death of the defendant, in this case, being suggested to the Court. It is ordered that the cause be dismissed
V 2208	Hancock & West v. Wilson Green	Plaintiffs / Defendant	Ordered, that this cause be dismissed from the docket, the cost being paid and matters in suit settled.
V 2223	J M Hayes v. J W Fleming et al	Plaintiff / Defendants	Ordered, that this cause be dismissed from the docket, the cost having been paid, and matters in suit settled.
V 2227 V	Frank Brown v. J. W. Thompson	Plaintiff / Defendant	On motion of plaintiff, It is ordered that this cause be dismissed from the docket the matters in suit being settled, and cost paid.
V 2238 V	The State of Texas v. Charles Payne C. V. Ezell et al A. F. Norton	Plaintiff / Defendants	And now comes the District Attorney, on behalf of the State, and on his motion, It is ordered that the Sheriff be allowed to amend his return on the writ issued in this cause on the defendant C. V. Ezell, which is accordingly done. And thereupon, on further motion, It is ordered that this proceeding be dismissed as to the defendant, Norton, he having not been cited. And thereupon the District attorney claims a judgment final by default against the other defendants, for want of an answer. And because it appears to the Court that the defendants have been cited and have failed to answer within the time prescribed by law, and Judgment nil dicit having been taken in this cause at the Spring Term 1863, on a forfeited appearance bond, for the sum of fifteen hundred dollars, It is therefore, ordered, adjudged and decreed by the Court, that the State of Texas do have and recover of and from the defendant, Charles Payne and C. V. Ezell the sum of five hundred dollars, in specie, and all costs of this proceeding, and that executions issue thereon. It is ordered that the case be made final for the sum of five hundred dollars, and
V 2242	Salina G. C. Conner v. John H. Conner	Plaintiff / Defendant	The matters in controversy in this case being settled, and the cost paid, It is ordered that the cause be dismissed from the docket.
V 2243	The State of Texas v. Jno M. Swisher, et al	Plaintiff / Defendants	Ordered, on motion, that the plaintiff in this cause have leave to file an amended petition

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2281	The State of Texas v. J. W. Grahams	Plaintiff / Defendant	Ordered, that the forfeiture in this case be set aside, and that the defendant be discharged
2282	The State of Texas v. N. S. Tisdale	Plaintiff / Defendant	Ordered, that the forfeiture in this case be set aside, and that the defendant go hence discharged.
2274	Wm H Gaines v. John F. Safford	Plaintiff / Defendant	And now comes the plaintiff, and on his motion it is ordered by the Court that this cause be dismissed from the docket, the cost being paid.
2264	L. Bettie High v. A. B. High	Plaintiff / Defendant	And now comes the plaintiff, and on motion It is ordered that this cause be and is hereby dismissed, from the docket. And it is further ordered that the defendant do have and recover of and from the said plaintiff, L. Bettie High, all the cost of this suit, for which execution may issue. Further ordered that the plaintiff be allowed to withdraw the depositions taken in this cause.
2265	The State of Texas v. J T Robinson & al	Plaintiff / Defendants	Ordered by the Court, that on motion of the District Attorney, that this cause be dismissed from the docket.

And now at this day came and appeared in open Court the Grand Jury of Travis County, duly elected, tried, empannelled, sworn and charged, and during the present term of this Court, and through their foreman, John B. Burks, presented to the Court the following Bills of Indictment, to wit:

1536 The State of Texas v. R. H. Clements. Permitting a game with cards, to be played at a Public House under his control.

1537 The State of Texas v. Wash. Tong. Playing at a game with cards at a public house.

1538 The State of Texas v. Wash Tong & L. D. Carrington. Playing at a game with cards at a public house.

1539 The State of Texas v. William Patterson, Marcus Swinker and L. D. Carrington. Playing at a game with cards at a public house.

1540 The State of Texas v. Wm. H. Roberts & William Patterson. Playing at a game with cards at a public house.

1541 The State of Texas v. Thomas Boles. Exhibiting a gaming Bank called Monte.

1542 The State of Texas v. Eli Kirk. Buying valuable articles of property from a slave without the written consent of the master, mistress, overseer, or employer of said slave.

1543 The State of Texas v. Josiah Bishop. Buying valuable articles of property from a slave without the written consent of the master, mistress, overseer, or employer of said slave.

1544 The State of Texas v. William Thompson. Playing at a game with cards at a public house.

1545 The State of Texas v. William Thompson. Playing cards at a public house.

1546 The State of Texas v. Ben. Thompson. Playing at a game with cards at a public house.

1547 The State of Texas v. Ben. Thompson. Playing at a game with cards at a public house.

1548 The State of Texas v. Ben Thompson. Exhibiting & banking game with cards commonly called "Monte"

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1549 The State of Texas v. Thos. W. Ward. Carrying away timber from land not his own without the consent of the owner

1550 The State of Texas v. Thos. W. Ward. Carrying away timber from land not his own without the consent of the owner.

1551 The State of Texas v. Thos. W. Ward. Carrying away timber from land not his own without the consent of the owner.

1552 The State of Texas v. Peter a Mexican. Destroying timber upon land not his own without the consent of the owner

1553 The State of Texas v. Peter a Mexican. Destroying timber on land not his own without the consent of the owner.

1554 The State of Texas v. Peter a Mexican. Destroying timber on land not his own without the consent of the owner

1555 The State of Texas v. Peter, a Mexican. Destroying timber on land not his own without the consent of the owner.

1556 The State of Texas v. Peter, a Mexican Destroying timber on land not his own without the consent of the owner.

1557 The State of Texas v. James Drake. Permitting banking game Monte to be exhibited in a house under his control.

1558 The State of Texas v. Ed Goodrich. Betting at a gaming bank called Monte.

1559 The State of Texas v. Henry C. Ems. Betting at a game of cards called Monte.

1560 The State of Texas v. Thomas Ems. Exhibiting banking game called Monte

1561 The State of Texas v. Thomas Warren. Betting at a banking game of cards - Monte

1562 The State of Texas v. Mrs. Black Buying valuable articles of property from a slave without the written consent of the master, mistress, owner or employer.

1563 The State of Texas v. J. T. Pruitt, Sylvester Waldrup and Scott Waldrup. Theft of two Bee Guns.

1564 The State of Texas v. J. T. Pruitt, Sylvester Waldrup and Scott Waldrup. Theft of two Bee guns.

1565 The State of Texas v. Alfred Robinson - Murder.

1566 The State of Texas v. B. H. H. Butts. Assault with intent to kill and murder.

And thereupon the said Grand Jury suggesting to the Court that there was no further business before them, It is ordered that they be discharged from further attendance upon this Court.

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

Friday, May 19th, 1865.

Court convened at 9 o'clock, A. M. pursuant to adjournment. Present Hon. A. D. McGinnis, Judge presiding - Frank Brown, Clerk, and Thomas C. Collins, Sheriff.

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

1394 The State of Texas v. Ben. Hines. Cont'd for service

1395 The State of Texas v. Ben. Hines. Cont'd for service

1396 The State of Texas v. Ben Hines Cont'd for service

1397 The State of Texas v. Ben Hines et al Cont'd for service

1398 The State of Texas v. Ben Hines et al Cont'd for service

1399 The State of Texas v. Ben. Hines et al Cont'd for service

1400 The State of Texas v. Ben. Hines et al Cont'd for service

1401 The State of Texas v. Tom Bowles et al Cont'd for service

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1402 The State of Texas v. Ben. Hines, et.al. Cont'd for service
1403 The State of Texas v. Sam Scales, et.al. Con for service, and ordered that the bond of the deft. Scales in this case be quashed on motion of the District Attorney.
1404 The State of Texas v. Sam Scales, et. al. Cont'd for service, and, on motion of the District Attorney, Scales bond quashed
1405 The State of Texas v. Sam Scales, et. al. Ordered, on motion, that the bond of the defendant Scales be quashed, and that the case be cont'd for service.
1406 The State of Texas v. J. S. N. Cook, et. al. Cont'd for service, and ordered, on motion, that the bond
1410 The State of Texas v. Jud. Tate, et.al. Continued as to Tate by operation of law, and for service as to other defendants.
1412 The State of Texas v. Jon. Bowles, et.al. Continued for service
1413 The State of Texas v. Bill Wheelock Continued for service
1418 The State of Texas v. Bill Wheelock. Continued for service
1419 The State of Texas v. Ben. Hines. Continued for service
1424 The State of Texas v. H. D. Schoolfield Continued for service
1425 The State of Texas v. A. Manchaca, et.al. Continued for service
1426 The State of Texas v. A. Manchaca, et.al. Continued for service
1427 The State of Texas v. A. Manchaca. Continued for service
1428 The State of Texas v. A. Manchaca. Continued for service
1431 The State of Texas v. Pedro Valadez Continued for service
1431 The State of Texas v. R. H. Crumley. Continued for service
1432 The State of Texas v. Edmund Curley. Continued for service
1433 The State of Texas v. G. B. Templeman. Cont'd by operation of law.
1435 The State of Texas v. Ras. Scott Cont'd for service
1441 The State of Texas v. H. P. de Normandie Cont'd for service
1442 The State of Texas v. H. P. de Normandie Cont'd for service
1444 The State of Texas v. H. P. de Normandie Cont'd for service
1445 The State of Texas v. Wm. Tobin, et. al. Cont'd for service
1447 The State of Texas v. Smart. Cont'd for service
1448 The State of Texas v. Jno. E. Campbell Cont'd by operation of law.
1449 The State of Texas v. Hines & Fox Cont'd for service
1450 The State of Texas v. Hines & Fox. Cont'd for service
1451 The State of Texas v. Hines & Fox Cont'd for service
1452 The State of Texas v. Fox & Jones Cont'd for service
1453 The State of Texas v. Fox & Jones Cont'd for service
1454 The State of Texas v. Fox & Jones Cont'd for service
1455 The State of Texas v. Fox & Jones Cont'd for service
1456 The State of Texas v. Fox & Jones Cont'd for service
1457 The State of Texas v. Fox & Jones Cont'd for service
1458 The State of Texas v. Fox & Jones Cont'd for service
1459 The State of Texas v. Fox & Jones Cont'd for service
1460 The State of Texas v. Fox & Jones Cont'd for service
1461 The State of Texas v. Fox & Jones Cont'd for service
1462 The State of Texas v. Fox & J Cont'd for service
1463 The State of Texas v. Fox Cont'd for service
1464 The State of Texas v. Fox Cont'd for service
1465 The State of Texas v. Fox Cont'd for service
1466 The State of Texas v Fox Cont'd for service

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1467 The State of Texas v. Fox. Continued for service
1468 The State of Texas v. John Martin Continued for service
1469 The State of Texas v. Lee, a Slave. Cont'd by the deft. for the testimony of Mrs. Ford.
1470 The State of Texas v. D. D. Young. Continued by consent.
1471 The State of Texas v. Pet Cook Continued by operation of law.
1472 The State of Texas v. James Austin Cont'd for service
1474 The State of Texas v. Fred. Kirk. Cont'd by operation of law.
1475 The State of Texas v. Sam: Wood. Cont'd by operation of law.
1476 The State of Texas v. Sam Wood. Cont'd by operation of law.
1477 The State of Texas v. William Boyd. Cont'd for service
1478 The State of Texas v. Lynch. Cont'd by operation of law.
1479 The State of Texas v. Joseph Jackson. Cont'd by operation of law.
1480 The State of Texas v. John Pelett. Continued for service
1482 The State of Texas v. James Ferguson. Continued for service
1483 The State of Texas v. Wilson Continued for service
1485 The State of Texas v. Geo. Lynch. Cont'd by operation of law.
1486 The State of Texas v. Robert Smyth. Cont'd by the State for the testimony of Mrs. Alice Smyth, I. B. Sawyer and Frank, a Mexican and ordered that writs of attachment issue for said witnesses, returnable to the next term
1486 The State of Texas v. Robert Smyth. Because it appears to the Court that the witnesses, on behalf of the plaintiff in this cause, have been duly subpoened thereon, to wit. Alice Smyth, I. B. Sawyer and Frank, a Mexican, and have failed to appear and testify, It is ordered, on motion, that each of them be fined fifty dollars, and that Scire facias issue to each of them, returnable to the next term of this Court, Commanding them then and there to appear and shew cause, if any they can, why this fine and ni si judgment should not be made final against them as aforesaid.
1487 The State of Texas v. Josiah Hudson, et al. Continued for service

1487 The State of Texas } Plaintiff } This cause being called for trial, the defendant,
vs. } William Hudson, failing to appear and answer to
William Hudson } Defendant } the Indictment in this case, he and his securities,
Thomas M. Peel and I. G. Sneed, being distinctly called at the door of the Courthouse of Travis County, and the defendant, after a reasonable length of time, still failed to appear. And it appearing to the Court that the defendant, William Hudson, with the said Thomas M. Peel and I. G. Sneed as his securities, did execute the bail bond on file in this case, substantially as follows: Dated 29th day of September, 1862, payable unto the State of Texas in the sum of Five Hundred Dollars, conditioned that the said defendant, William Hudson, make his personal appearance at the District Court of said County of Travis, on the 9th Monday after the first Monday in October, 1862, to answer the Indictment preferred against the said defendant, William Hudson, by the Grand Jurors of Travis county, at the Spring Term, 1862, for Hog Stealing, and there remain from day to day, and from term to term of said Court, and that he do not depart thence without leave of said Court, which said Bond is forfeited - And it is considered by the Court that the State of Texas do have and recover of the said William Hudson the said sum of Five Hundred Dollars, and of his said securities, Thomas M. Peel and I. G. Sneed the sum of Five Hundred Dollars, and that this Judgment will be made final unless good cause be shown at the next term of this Court why the said defendant, William Hudson, did not appear; and further ordered, that citations do issue to the said securities.

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1488. The State of Texas vs. James Sims. Continued by the State.
1489 The State of Texas vs. James Harley. Continued for service.
1490 The State of Texas vs. Owen Adkins. Continued by operation of law.
1491 The State of Texas vs. C. Payne. Continued for service
1492 The State of Texas vs. Wm McCutchan Continued for service
1493 The State of Texas vs. R. J. Townes. Continued by the State for the testimony of Joseph Smith, and attachment ordered for him to Burnet County.
1494 The State of Texas vs. Mark Poag. Continued for service.
1495 The State of Texas vs. Mark Poag. Continued for service.
1496 The State of Texas vs. J. P. Neal. Dismissed, on motion of Dist. Atty, and defts discharged
1497 The State of Texas vs. S. Puckett. Continued for service
1501 The State of Texas vs. C. Payne. Continued for service
1502 The State of Texas vs. Hiram Jones. Continued for service.
1503 The State of Texas vs. John Jones. Continued by operation of law.
1504 The State of Texas vs. Lewis, a Slave. Continued for service.
1505 The State of Texas vs. Moses Norris Continued for service.
1506 The State of Texas vs. John Jones. Continued by operation of law.
1507 The State of Texas vs. W. Dibrell. Continued for service.
1508 The State of Texas vs. W. Dibrell. Continued for service
1509 The State of Texas vs. Salus Gonzales. And now at this term comes the District Attorney, and moves the Court to forfeit the Recognizance of the defendant, with R. J. Townes, as security, taken before the magistrate, in this cause. And the Court considering the same, and regarding the instrument as not being such an one as should have been taken by the magistrate, and not proper to be forfeited, quashes the bond, to which It is therefore ordered by the Court, that the said ~~bond~~ recognizance be quashed, and that alias capias issue for the arrest of the defendant, to which ruling the Distrd Attorney excepts, and gives notice, in open Court, of an appeal to the Supreme Court.
1510 The State of Texas v. T. B. Clifton Continued for service
1511 The State of Texas v. Joseph Robinson. Dismissed
1512 The State of Texas v. Joseph Robinson Dismissed
1513 The State of Texas v. Joseph Robinson Dismissed
1514 The State of Texas v. Joseph Robinson. Dismissed
1516 The State of Texas v. William Eagle. Continued by consent.
1515 The State of Texas v. John Hughes. Dismissed.
1518 The State of Texas v. Wm Rogers. Cont'd for service
1519 The State of Texas v. Joseph Robinson. Dismissed.
1520 The State of Texas v. Wm Owens et. al. And now on this day come the parties, and the defendant Marshall presented his exceptions to the sufficiency of the Indictment; and the same being considered, It is ordered, that the said exceptions be sustained as to the first count in the said Indictment only. And ordered, that the cause be continued, by the State.
1521 The State of Texas vs. Jo. Robinson. Dismissed
1522 The State of Texas vs. Jo. Robinson. Dismissed.
1523 The State of Texas vs. Harriet Bayard. Continued for service
1525 The State of Texas vs. William Barnes. Ordered, that this cause be continued, on motion of the District Attorney, because of the absence of J. Miner, witness for the pltff.
1525 The State of Texas v. William Barnes. It appearing that the witness, J. Miner, has been subpoened on behalf of the plaintiff in this cause, and has failed to appear and testify, It is ordered that he be fined fifty dollars, and that

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Scire facias do issue, returnable to the next term of this Court, commanding him to appear and shew cause, if any he can, why this judgment nii si. should not be made final against him as aforesaid.

1527 The State of Texas v. S. M. Berryman. Continued by operation of law.

1528 The State of Texas v. Rapp & Thompson. Continued by operation of law.

1529 The State of Texas v. Milam Duty. Continued for service.

1531 The State of Texas v. Shadrick, a Slave. Continued by the State for the want of the testimony of Pleasant, Salina and John, Slaves of A. P. Blocker.

1532 The State of Texas v. James Sims. Continued by the defendant for the testimony of Thomas Mauthews.

1533 The State of Texas } Plaintiff } This cause being called for trial, the defendant,
vs. } } Jac Lucksinger failing to appear and answer to
Jac Lucksinger } Defendant } the indictment in this case, he and his security, C. Stenfey being distinctly called at the door of the Courthouse of Travis County, and the defendant, after a reasonable length of time, still failed to appear. And it appearing to the Court that the defendant, Jac Lucksinger, with the said C. Stenfey as his security, did execute the bail bond on file in this case, substantially as follows: Dated 3d day of March, 1865, payable unto The State of Texas in the sum of Two Hundred Dollars conditioned that the said defendant, Jac Lucksinger, make his personal appearance at the District Court of said county of Travis, on the 10th Monday after the first Monday in March, 1865, to answer the Indictment preferred against the said defendant, Jac Lucksinger, by the Grand Jurors of Travis county, at the Fall Term, 1864, for Slaughtering beeves for the Austin market, without returning to the County Clerk a list of the marks and brands of said beeves, and from whom purchased, and there remain from day to day, and from term to term of said Court, and that he do not depart thence without leave of said Court, which said bond is forfeited. And it is considered by the Court that the State of Texas do have and recover of the said Jac Lucksinger the said sum of Two Hundred Dollars and of his said security, C. Stenfey, the sum of Two Hundred Dollars, and that this judgment will be made final unless good cause be shown at the next term of this Court why the said defendant, Jac Lucksinger, did not appear; and further ordered, that citation do issue to the said security.

1536 The State of Texas v. R. H. Clements. Con. for service

1537 The State of Texas v. Wash. Long Con. for service

1538 The State of Texas v. Wash Long et al Con. for service

1539 The State of Texas v. Patterson, et al Con. for service

1540 The State of Texas v. Roberts, et al. Con. for service

1541 The State of Texas v. Jim Bowles Con. for service

1542 The State of Texas v. E. Kirk Con. for service

1543 The State of Texas v. Bishop Cons. for service

1544 The State of Texas v. Thompson Con. for service

1545 The State of Texas v. Thompson Con. for service

1546 The State of Texas v. Thompson Cons. for service

1547 The State of Texas v. Thompson Con. for service

1548 The State of Texas v Thompson Con. for service

1549 The State of Texas v. Ward Con. for service

1550 The State of Texas v. Ward Con. for service

1551 The State of Texas v. Ward Con. for service

1552 The State of Texas v. Peter, a mexican. Con. for service

1553 The State of Texas v. Peter, a Mexican Con. for service

1554 The State of Texas v. Peter, a Mexican Con. for service

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1555 The State of Texas v. Peter, a Mexican Cont'd for service
1556 The State of Texas v. Peter, a Mexican Cont'd for service
1557 The State of Texas v. Peter, a Mexican Cont'd for service
1558 The State of Texas v. Peter, a Mexican Cont'd for service
1559 The State of Texas v. Henry C. Eaves Cont'd for service
1560 The State of Texas v. Henry C. Eaves Cont'd for service
1561 The State of Texas v. Jno. Warren Cont'd for service
1562 The State of Texas v. Mrs. Flack Cont'd for service
1563 The State of Texas v. Pruitt, et al. Cont'd for service, and bail fixed at $1000 each.
1564 The State of Texas v. Pruitt, et. al. Cont'd for service and bail fixed at $1000 each
1565 The State of Texas v. Alfred Robinson Cont'd for service
1566 The State of Texas v. B. H. H. Butts Cont'd for service, and bail fixed at $1000

Civil Docket.

1958 Ward v. Ward. Continued under advisement, owing to absence of some of the parties in this cause.
2247 F. T. Duffau v. A. J. Hamilton. Leave given to plaintiff to amend petition & cont'd
2248 R. J. Jones v. A. J. Hamilton. Leave given to plaintiff to amend petition, & continued.
2254 The State of Texas v. John T. Miller. Leave given to Sheriff to amend return on the citation.

2256 The State of Texas v. Joseph T. Robinson, et al. And now come the parties by attorney, and the defendant Long submitted his exceptions to the sufficiency of the citation in this cause, and the same being considered, It is ordered that the same be overruled. And thereupon, upon a hearing of the defendants Long's showing, It is ordered, that the forfeiture of in this cause be set aside, and held for naught and that the cause be dismissed. Further ordered, that the cost of this proceeding be adjudged against the said M. M. Long, for which execution may issue; the cause having been dismissed as to the defendant Carrington.

2257 The State of Texas v. Joseph T. Robinson, et al. And now comes the District Attorney and dismisses this proceeding as to the defendant Carrington, who has not been served. And the Court overruled the exceptions of the defendant Long to the citation. It is ordered, on a hearing of the answer of the defendant Long that the forfeiture in this cause be set aside, and held for naught, and that the cause be dismissed from the docket, and that the said M. M. Long pay all the cost of this proceeding, for which execution may issue.

2258 The State of Texas v. Joseph T. Robinson, et al. And now comes the District Attorney and dismisses this proceeding as to the defendant Carrington, who has not been served. And the Court overruled the exceptions of the defendant Long to the citation; And it is ordered, on a hearing of the answer of the defendant Long that the forfeiture in this cause be set aside, and held for naught; and that the cause be dismissed from the docket, and that the said M. M. Long pay all the cost of this proceeding, for which execution may issue.

2276 The State of Texas, Plaintiff
v.
W. P. de Normandie & F. W. Chandler, Defendants

And now at this day came the District attorney, on behalf of the State, and the defendant Chandler, in person, and announced ready for trial. And because it appears to the Court, that on the 8th day of December, 1864, the Recognizance Bail Bond of the defendant De Normandie, with said Chandler, as security, was forfeited in accordance

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with law in the cause No. 1442 of the State of Texas v. W. P. de Normandie for the sum of One Hundred Dollars; and the said Chandler having appeared in open Court, and filing no defence thereto, and shewing no cause why the said Judgment nisi should not be made final, and the defendant De Normandie having made default, It is ordered, adjudged and decreed by the Court, that the said Judgment nisi be made final, and that the State of Texas do have and recover of and from the said W. P. de Normandie, and the said F. W. Chandler, the said sum of One Hundred Dollars in specie, gold or silver and all the cost of this proceeding, for which execution may issue.

And thereupon, the said Chandler tendered, in open Court, to the Court, Clerk and Sheriff, the full amount of the cost in this case in specie, and the full amount of the Judgment, to wit: One Hundred Dollars, in the New Issue of the Treasury Notes of the Confederate States, and the Court ordered that said tender be refused, as to the paid Confederate notes in the ground that all forfeitures are required by the Constitution to be paid in gold and silver, to which ruling of the Court the defendant excepted, and gives notice, in open Court, of an appeal to the Supreme Court.

2277 The State of Texas } Plaintiff
v.
W. P. de Normandie }
F. W. Chandler } Defendants

And now at this day came the District Attorney, on behalf of the State, and the defendant Chandler, in person, and announced ready for trial. And because it appears to the Court that on the 8th day of December, 1864, the Bail Bond of the defendant De Normandie, with said Chandler, as security, was forfeited in accordance with law, in the cause No. 1442, of The State of Texas v. W. P. de Normandie, for the sum of One Hundred Dollars; and the said Chandler having made no defence and showing no cause why the said Judgment nisi should not be made final; and the defendant De Normandie having made default, It is ordered, adjudged and decreed by the Court, that the said Judgment nisi be made final, and that the State of Texas do have and recover of and from the said W. P. de Normandie, and the said F. W. Chandler, the said sum of One Hundred Dollars, in specie, gold or silver and all the cost of this proceeding, for which execution may issue.

And thereupon the said Chandler tendered, in open Court, to the Court, Clerk and Sheriff, the full amount of the cost in this case, in specie, and the full amount of the Judgment due, the State, to wit, One Hundred Dollars in the New Issue of the Treasury Warrants or Notes of the Confederate States; and the Court ordered, that the said tender be refused, on the ground that all forfeitures are required, by the Constitution, to be paid in gold and silver, to which ruling of the Court the defendant excepted.

And thereupon the said Chandler tendered, in open Court, to the Court, Clerk and Sheriff, the full amount of the cost in this case, in specie, and the full amount of the Judgment due the State, to wit: One Hundred Dollars in the Comptrollers Warrants on the Treasurer of the State of Texas, commonly known as State Treasury Warrants; and the Court ordered, that the said tender of State Treasury Warrants be refused, on the ground that all forfeitures are required, by the Constitution, to be paid in gold and silver, to which ruling of the Court the defendant excepted. And thereupon said Chandler gives notice in open Court, of an appeal to the Supreme Court.

2276 The State of Texas v. De Normandie & Chandler. It is ordered by the Court, that the

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Judgment rendered in this cause be amended, as follows.

And thereupon, the said Chandler tendered, in open Court, to the Court, Clerk and Sheriff, the full amount of the cost in this case in Specie and the full amount of the Judgment due the State, to wit: One Hundred Dollars, in the Comptrollers Warrants on the Treasurer of the State of Texas, commonly known as State Treasury Warrants: and the Court ordered that the said tender be refused, as to the said Treasury Warrants on the ground that all forfeitures are required, by the Constitution, to be paid in gold and silver, to which ruling of the Court the defendant excepted, and gives notice, in open Court, of an appeal to the Supreme Court.

2278 The State of Texas v. Robert Smyth. Continued for service.

2279 The State of Texas v. H. B. Nichols. It appearing to the Court that at the fall term, 1864, the defendant was fined in the sum of One Hundred Dollars a defaulting witness in the case No. 1458, of The State of Texas v. James M. Sims, and he having been cited and failed to answer, but wholly made default. It is, therefore, considered by the Court that the said Judgment nisi be made final for the sum of Twenty-five Dollars, in Specie, and that The State of Texas do have and recover of and from the defendant, H. B. Nichols, the sum of Twenty-five dollars, in Specie, as aforesaid, and all the cost of this proceeding, for which execution may issue.

2280 The State of Texas v. Lydia Robinson. Ordered, on a hearing of the defendants answer, that the forfeiture in this cause be set aside and the defendant discharged, but that said defendant pay the cost of this proceeding, for which execution may issue.

2283 The State of Texas v. J. G. Harrell. Continued for service.

It is ordered by the Court, that Leander Penn be fined in the sum of Twenty Five Dollars for failing to attend on the Petit Jury, his name being called, and he having been duly subpoened as such: and that citation do issue commanding him to appear and shew cause, if any he can, why this Judgment should not be made final against him.

It is ordered by the Court that C. Donsky, who has been empannelled as a juror in the case of Hamelton v. Baker, and has failed to appear at the hour of 2 o'clock, to which the Court adjourned, be fined ~~Twenty~~-five dollars, and that Scire Facias issue to him, returnable to the next term of this Court, commanding him to appear and shew cause, if any he can, why said fine should not be made final.

2284 M. C. Hamelton, Plaintiff v. I. N. Baker, Defendant } Ordered, on motion, that the Sheriff have leave to amend his return on the attachment issued in this cause

2284 M. C. Hamelton, Plaintiff v. I. N. Baker, Defendant } And now come the plaintiff, and on motion, It is ordered that he have leave to amend his petition filed in this cause

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

District Court Minutes, Spring Term, May 20th 1865.

Saturday, May 20th 1865

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

2284 M. C. Hamilton } Plaintiff
vs.
J. N. Baker } Defendant

} And now come the parties by attorney, and the the defendant moves the Court to strike out plaintiff's amended petition filed in this cause. And the Court orders that the same be overruled. and the motion to quash the attachment is sustained.

+ 2284 M. C. Hamilton } Plaintiff
vs.
J. N. Baker } Defendant

} And now at this day came the parties to this cause by their attorneys, and announced themselves ready for trial. And thereupon the defendant submitted to the Court his demurrer to plaintiff's petition; and the same being considered, It is ordered that the same be overruled. Then came a Jury of twelve good and lawful men of Travis County, who were duly elected, tried, empannelled and sworn according to law. And the Jury having heard the evidence introduced by the parties, the pleadings, argument of counsel and being charged by the Court, retired to consider of their verdict and thereupon the Jury returned into Court the following verdict, to wit. "We, the Jury, find for the plaintiff, and assess the damage at One Hundred Dollars, & costs. J. H. Walker, Foreman"

Whereupon, It is ordered, adjudged and decreed by the Court, that the plaintiff, M. C. Hamilton, do have and recover of and from the defendant, J. N. Baker, the said sum of One Hundred Dollars, and all Cost in this behalf incurred, except the cost of the attachment, which is adjudged against the plaintiff for all which execution may issue.

And thereupon Court adjourned till Monday, 10 o'clock, a.m.

Monday, May 22d 1865.

Whereupon the following Court convened at 10 o'clock, A. M. pursuant to adjournment. Present the same as on Saturday. Whereupon the following proceedings were had by the Court, to wit.

X Ordered, that the fine against Leander Brown, entered on Saturday, as a defaulting Juror, be remitted

1407 State of Texas v. Sam Scales. Bond quashed
1408 The State of Texas v Sam Scales. Bond quashed
1409 The State of Texas v. Sam Scales. Bond quashed

Henry Spencer, application for enslaving himself.

The said Henry Spencer having failed to appear to enslave himself in accordance with his petition; and the said Chandler to whom the party petitioned to be enslaved, being present in Court, and consenting thereto, It is ordered that the said proceeding be dismissed from the motion docket, and that said Chandler pay the cost of the same, for which execution may issue.

1754 J. H. Dawson } Plaintiff
vs.
J. H. Hutchins } Defendant

} And now at this day appeared the defendant by attorney, and moved the Court to dismiss this cause, in accordance with the agreement

filed therein. And the Court hearing evidence as to the handwriting of the plaintiff, and being satisfied that said agreement was entered into, It is ordered that said cause be dismissed from the docket, in accordance therewith. And that the plaintiff, S. H. Runson, pay all cost by him incurred in this cause, for which execution may issue, and that the defendant, J. H. Hutchins, and his securities, H. H. Cook and John T. Price, pay all cost by said defendant incurred, for which execution may issue.

2284 M. C. Hamilton, Plaintiff; v. J. H. Baker, Defendant } And now at this day come the parties by attorney, and the defendant submitted to the Court his motion for a new trial in said cause. And the same being duly considered, It is ordered that the said motion be overruled. And the said defendant, by attorney, gives notice, in open Court, of an appeal to the Supreme Court.

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

Tuesday, May 23d 1865.

Court convened at 9 o'clock, A. M. pursuant to adjournment. Present Hon. A. D. McGinnis, Judge 2d Jud. Dist. presiding. Whereupon the following proceedings were had by said Court, to wit:

2286 The City of Austin, Plaintiff; v. Albert Rust, Defendant } And now at 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: L. Brown, foreman, and eleven others, who were duly tried, elected empannelled and sworn according to law. And the jury having heard the evidence, argument of counsel, and being charged by the Court, retired to consider of their verdict. And thereupon the jury returned into Court the following verdict, to wit: "We, the jury, find the defendant, not guilty. Lee under Brown, foreman."

Whereupon, It is ordered, adjudged and decreed by the Court, that the said Corporation of the City of Austin take nothing in this behalf; that the defendants, Nassau and Sam, slaves of Albert Rust, and the said Albert Rust, go hence without day, fully discharged; that the cause be dismissed from the docket; and that the said Corporation of the City of Austin do pay all the cost of this proceeding, for which execution may issue.

2230 Alice Smyth, Plaintiff; v. Robert Smyth, Defendant } On motion of plaintiff, by atty, It is ordered by the Court that execution do issue against the defendant, Robert Smyth, for the sum of fifty-three 53 1/100 Dollars, being the amount of alimony that has accrued in this cause since the last term of this Court.

District Court Minutes, Spring Term, May 23rd 1865.

Jury Service at the Spring Term, 1865.

Grand Jury.

1	Jno B. Banks	4 days	$ 9.00
2	G H Banks	4 "	9.00
3	Isaac Wildbahn	4 "	9.00
4	Thos P. Washington	4 "	9.00
5	C Klein	4 "	9.00
6	W B Nichols	4 "	9.00
7	W W Atwood	4 "	9.00
8	W P Henderson	4 "	9.00
9	T. Matthews	4 "	9.00
10	P H Rayford	4 "	9.00
11	Rooney	4 "	9.00
12	J H Matthews	4 "	9.00
13	J H Tinney	4 "	9.00
14	A Bahn	4 "	9.00
15	C C Benning	4 "	9.00
16	M Byrne	4 "	9.00
17	E Fik	4 "	9.00
18	J P Hector	4 "	9.00
		72	$108.00

Petit Jury

1	H A Eagle	6 Days	9.00
2	J B Benson	6 "	9.00
3	Sam Harris	6	9.00
4	H H Gilbert	6	9.00
5	H C. Benquest	6	9.00
6	Joseph Harrell	6	9.00
7	A H Barnes	5	7.50
8	Leander Baron	4	6.00
9	Thos Warren	5	7.50
10	A. F. Blocker	5	7.50
11	John Brainard	3	4.50
12	J P Cooper	5	7.50
13	A R Crozier	3	4.50
14	W A King	6	9.00
15	Wade Henry	5	7.50
16	W G Lyman	3	4.50
17	H W Long	3	4.50
18	D Walsh	3	4.50
19	R Bethea	5	7.50
20	James Phillips	5	7.50
21	C Domsky	3	4.50
22	H Green	3	4.50
23	Thos H Jones	2	3.00
24	S Loomis	5	7.50
25	Aaron Bruleson	1	1.50
26	Wm Simpson	5	7.50
27	S J Smith	5	7.50
28	R. P Wright	5	7.50
29	Wm Robinson	6	9.00

District Court Minutes, Spring Term, May 23rd 1865.

30	C Sexdies	3 days	4.50
31	Robt Smyth	5 "	7.50
32	J Black	2 "	3.00
33	J H. Wacker	5 "	7.50
34	Wm Oliphant	5 "	7.50
35	J Rosegrew	2 "	3.00
36	F H. Sala	2 "	3.00
37	J M. Mapes	3 "	4.50
38	Swante Palm	1 "	1.50
		231	$346.50

The foregoing minutes of the proceedings of the present term having been examined and approved, It is ordered that this Court do now adjourn, and stand adjourned until the next regular term. This May 23rd 1865.

A D McGinnis
Judge 2nd Jud. Dist.

District Court Minutes, Fall Term, November 1865

The State of Texas }
County of Travis }

Be it remembered that on this the 13th day of November AD 1865 The Honorable the District Court of Travis County convened at the Court House thereof in the City of Austin pursuant to law the same being the tenth monday after the first monday in September AD 1865 and the time presented by law for the meeting of the Fall Term of said Court for the year 1865

Present the Hon J B McFarland Judge of the 2d Judicial District of the State of Texas Presiding, as judge of said Court and F H Coupland Clerk of the District Court of said County acting as such - and Thos C Collins Sheriff of said County acting as such A N Langley Dist Atty acting as such

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

The County Court in accordance with law having selected the Grand Jury to serve at the present term of this Court and the Clerk of this Court having duly issued the Regular Venire therefor and the same having been duly served by the Sheriff and returned into Court executed, the Court ordered that the names of the persons appearing upon said venire be called by the Sheriff whereupon the following named persons were called who were duly summoned as aforesaid and being sworn were found duly qualified in terms of the law to act as Grand Jurymen, to wit. Abner P Blocker[1] M K Ryan[2] G H Banks[3] D Upright[4] M C McLaurin[5] James Smith[6] W B Nichols[7] Waymen H Wells[8] Charles H Fox[9] E H Dorter[10] James Shaw[11] John G Gordon[12] H W Suter[13] T W Noben[14] L Hartson[15] Thereupon the Court appointed Abner P Blocker as foreman of said Grand Jury and thereupon the Court swore the said Grand Jurymen, according to the law, to discharge the duties of Grand Jurors at the present term of this Court

And thereupon the said Grand Jury being so qualified and sworn and impaneled in accordance with law as aforesaid were duly charged by the Court to the duties devolving upon them, and ordered to retire in charge of the Bailiff upon a discharge of the same. J P Neal. James B Morris Amos Morrill G R Freeman J D Buchanan C L Robards J W Smith B H Davis were qualified as attorneys and Counsellors at law - Ordered by the Court, that the Criminal Docket be set for Monday morning Next at 9 O'clock. Further ordered that a Special Venire issue for twelve jurors, to be in attendance on Wednesday next at 9 o'clock. A.M.

1315 Upton Jones vs Cyrus Puckett } Plaintiff / Defendant } This day came the Plaintiff by his attorney and moved the Court to dismiss the cause It is therefore considered by the Court that this cause be dismissed that the Plaintiff pay all costs of this Suit - and that execution issue thereupon

District Court Minutes, Hall Term, Nov 13th 1865

21139	H T Duffau vs John H Connor	Plaintiff Defendant	On motion of Plaintiffs Counsel it is ordered that this Cause be dismissed from the Docket and that the Plaintiff pay all the costs of the same.
2154	James P Neal vs P M. Steiner W S Oldham	Plaintiff Defendants	On motion of Plaintiff - in his own person - it is ordered that this Cause be dismissed from the Docket and that the plaintiff pay all the costs of the same

and ordered that the Court Stand adjourned untill tomorrow morning at 9 Oclock.

Tuesday Nov 14th 1865

Court convened at 9 o clock A. M. pursuant to adjournment. Present the same as on Monday. Whereupon the following proceedings were had by said Court ; to Wit;

The following named persons appearing in open Court and taking the Amnesty oath, were qualified as practicing Attorneys and Counsellors at law in the Courts of the State of Texas, in accordance with their former Licences,

Chas. S. West, W. M. Walton, T. W. Mosley, Geo. H Gray John T. Allen, B. E. Baron, S. G. Sneed,

Ordered, that the following numbered causes be Continued generally

98	Alexander Thomson Plff vs E & C Robertson Deft Admrs.	Continued generally
189	Robert Mitchell vs M C & S Burditt	Continued generally
201	Wm Bonner & Wife vs John Beck's Exs	Continued generally
222	B Grumbles & Wife vs P I Grumbles et al	Continued generally
257	P C Stephenson et als vs Samuel Craft Admr. et als	Continued generally
259	Edward. Grumbles vs W S Oldham	Continued generally

District Court Minutes, Fall Term, Nov 14th 1865

311	D J Grumbles vs G G Pace et al	Continued generally
403	James Parks vs W. S. Oldham	Continued generally
570	L. F. Price vs Michael Short	Continued generally
856	M W Burditt vs Wm Buttery	Continued generally
882	H. P. Hill vs D J Grumbles & W.C. Hamilton	Continued generally
948	S W Dawson Pro'al vs D A Burditt	Continued generally
986	Thos J Chapmans vs Grumbles & Duncan	Continued generally
1021	G. W. Cartwright vs John T Porter	Continued generally
1034	A G. Weir vs Robt. Crenshaw Deft Wm Booth Inter.	Continued generally
1091	Francis Kelley vs Hall Medlin et al	Continued generally
1162	Arthur G. Wavell vs E M Pease Gov.	Continued generally
1164	W. D. Thompson vs Chas Reidel Augusta Reidel	Continued generally

District Court Minutes, Fall Term, Nov 14th 1865

1288	Thomas Blair vs Sidney H Harris	death of Defendant suggested. His Legal Representatives to be made parties, when known Continued generally
1299	F. Deitrich vs Glasscock & Malistkie	Death of Plaintiff suggested, and Sc-fa ordered to make proper parties Continued generally
1302	Joseph Newsham vs John Newbond	Continued generally
1303	North, Sherman, & Co vs Mitchell & Gibson	Continued generally
1321	G Kirchberger vs N C Walker Adm	Ordered, on motion Plaintiff's Attorney that this Cause be dismissed at Plff's Costs.
1332	Francis Kelley vs Geo H Concock	Death of Plff suggested and Case Continued.
1346	D. C. Osborne vs Geo H Gray Adm	Ordered, on motion Plaintiff Attorney that this Cause be dismissed at Plff's Costs.
1459	J B Pace vs C R Johns Adm	Continued generally
1460	C. R. Johns Adm vs J R Pace	Continued generally
1528	J L Thompson vs D. Dikes Adm	Continued generally
1539	R. Williamson Adm vs Stephen. W. Blount Adm	Continued generally
1564	Fredrick. Gordon vs D. C. Hall Deft L. P. & S. Duty admr. & Exr's	Continued generally
1613	Maria. B. Cannon Adm vs Martha Smith Adm	Continued generally

District Court Minutes, Fall Term, Nov. 14th 1865-

1623	Wm R. Baker vs D. D. Nickols	Continued generally
1625	D L Nichols vs C. Lockwood dec'd	Continued generally
1629	W. M. Shepperd vs A. H. Raymond Exrs & als	Ordered, that Cause be dismissed at Plaintiff's Costs.
1631	Wm Alexander vs Thomas F. Chapman	Continued generally
1644	Robt. Edgar vs D. D. Nichols & als	Continued generally
1649	H. Grooms & Wife vs B. F. Carter & als	Continued generally
1671	D. A. Roape vs S. R. Birt	Continued generally
1685	Phillipene. Wilcox & als vs Ekiel M. Smith & als	Continued generally
1693	S. S. Cosedy admr vs Robt Ring	Continued generally
1695	N. S. Slaten vs W D Miller deft W. L. & C. S. Roberts & Thomas Jones Enter's	Continued generally
1709	Phelps & Johnson vs John. C. Gnchlay deft Honcock & West, Hamilton & Sublett Enter's	Continued generally
1728	P. K. Calhoun vs Geo Honcock	Death of S. D. Pitts suggested and Si-fa ordered to his representatives - and, continued,

District Court Minutes, Fall Term, A.D. 1865

1743	H. G. Stemmons vs D. C. & R. Freeman	Continued generally
1746	James R Poe vs D. W. Blackwell sheriff	Continued generally
1747	A. B. Burleson vs John Burleson et als	Continued generally
1751	P. De Cordova vs John Croton et als	Continued generally
1752	Thomas Eborn vs W. R. Connor Admr.	Continued generally
1759	H. M. Fizer vs Hosking & Bunton	Continued generally
1793	C. R. Kampton vs John. C. Kampton	Continued generally
1803	Chas Klein vs Wm P. Rutledge	Continued generally
1804	L. M. Swenson vs Mary E. Payne	Continued generally
1809	Edward. Grumbles vs B. Grumbles et als	Continued generally
1760	W M Wilson vs J. J. Cleveland et als	Continued generally
1774	Wm. H. Luckie vs J O Conner	Continued generally
1816	James a Stuart vs Shadrack Pierce et als	Continued generally

District Court Minutes, Fall Term, Nov 14th 1865

V 1818	Jno. T. Miller vs M A Taylor	Continued generally
V 1819	F. A. Thompson et als vs A Eanes et als	Continued generally
V 1840	A C Raymond vs Francis A Thompson et als	This day Come the Plaintiffs Attorney & move the Court to dismiss this Cause It is thereupon considered by the Court that this Cause be dismissed, that the Plaintiff pay all Costs of this suit. and that execution issue therefor =
V 1841	Geo. Hancock vs Martin Moore	Death of Defendant Suggested and Sci-fa ordered to his representatives - And Cause Cont'd.
V 1842	M. C. Burditt vs G H & I F Burditt admrs.	Continued generally
V 1854	G. L. Walton vs Ed Christians & R M Johnson	This day come the Plaintiff by his Attorney - and move the Court to dismiss this Cause - It is therefore considered by the Court that this Cause be dismissed - that the Plaintiff pay all costs of this suit, and that execution issue therefor
V 1871	B. Groh vs Webb & Hollmon	Ordered, on motion Plaintiff's Attorney, that this Cause be dismissed at Plaintiff's Costs, and that execution issue therefor -
V 1887	L. Fallman vs L. R. Johns Deft D Blume Intr	Continued generally
V 1892	R Butcher et als vs L H Randolph Trus.	Continued generally
V 1909	Thos B Harling vs James M Bunton	Cont'd. generally
V 1914	Geo. N. Gray C. H. & Trus vs John B Perry B. A. Rusher Amo Morris	Cont'd. generally

District Court Minutes, Fall Term, Nov 14th 1865

1920	Geo. N. Gray, Chf Eng vs N B Covington W. C. Stapp R J Bonnycastle S. G. Morrill	Continued generally
1955	Francis Winans vs Wm Fowler	Continued generally
1959	Geo. L. Hilo vs A H Conner	Continued generally
1973	Thos D Wood vs F W White Com. et als	Continued generally
1975	Phelps & Johnson vs Wm C Thorp & Josiah Fisk	Continued generally
1978	Phillips and Smith vs Nancy H Raysdale	Con: generally
1992	Geo. Blaylock vs Fisk and Bowers	Attorneys for Plaintiff withdraws and Cause Continued for service
2003	John T. Miller vs Owen O brien	Continued generally
2009	Neal McGoffey & Wife vs Thos P Hughes	Death of McGoffy suggested and Cause continued
2013	Elisabeth Henry et als vs A M Davidson	Con. generally
2018	Amos Morrill vs R. T. Lowe et als	Cont'd generally
2022	John Brown vs Raymond T. Thompson	Cont'd generally

District Court Minutes, Fall Term, Nov 14th 1865

2025	James. Humphry vs D.C & G R Freman	Cont'd generally
2026	James Humphry vs D.C. Freman	Continued generally
2033	M C Hamilton vs James O Rice	Continued generally
2035	J. M. Steines vs W. M. McSayles	Continued generally
2036	Wm B Bonditt vs Hamilton & Simms	Continued generally
2038	James. M. Lightfoot et als vs Wm C. Lightfoot.	Cont'd generally
2050	C. Arrington vs James H Durson	Continued generally
2052.	James. R. Jackson vs Thomas F McKinney	Death of Plaintiff suggested and cause Continued=
2058	James E Pickle vs Hopcock & Millican	Continued generally
2096	Sisly. Hensly vs Wm Hensly	Dismissed at Plaintiff's Costs by his attorney=
2288	Wm Black vs Fisher	dismissed at defendants costs by his attorney Plaintiffs attorney consenting=
2289	Alfred Smith vs Fisher	Dismissed at defendants costs by his attorney - Plaintiff attorney consenting=

And ordered. that Court stand ad=
=journed till tomorrow morning 9. o. clock A. M.

District Court Minutes, Fall Term, Nov 15th 1865

Court convened at 9 o clock a.m. pursuant to adjournment. Present the same as Tuesday whereupon the following proceedings were had by said Court, to wit:

The following attorneys appearing in open Court, and taking the Amnesty oath, were qualified as practicing attorneys and Counsellors at law in the Courts of the State of Texas, in accordance with their former Licences N. L. Robards James. Raines

The Venire facias issued on the first day of this Term of Court, for twelve good and lawful men to serve as Jurors, returnable on Wednesday the 15th having been duly served by the Sheriff of Travis County and returned into Court executed, the Court ordered that the names of the persons appearing on said venire facias be called, whereupon the following named, and duly summoned persons, appeared who were duly sworn and empannelled in accordance with law, J.M. Warren, H.M. Metz, Joseph Blum, J.M. Bennett J.P. Cope, J.M. Bostick, J.W. Hambrick, R.W. Copeland, H.Mopson J.G.W. Davis, L. Elgin, A. Kenick,

Ordered by the Court that the following Entitled causes be continued generally to Wit:

No 1318	R.A. Turner as vs E.W. McCulloughly et als	Continued generally
1520	The State of Texas vs G.W. Scott et als	continued generally
1521	Do vs A.B. Burleson	continued generally
1620	L.D. Carrington & Co. vs B. Case, Deft & C. Platt, Gar.	continued generally
1766	State of Texas vs Samuel C. Jones Wm B. Jones Wm Winons Edward Winons	And now at this day, came the Parties to the above entitled cause, by their Attorneys, and announced themselves, ready for trial, and the Motion of Defts to set aside the Judgement, Nisi, heretofore rendered, in this cause, coming on to be heard and the evidence therein being submitted to the Court, it is ordered by the Court that the Judgement, Nisi, heretofore rendered, be Set aside and Cause Dismissed, at the costs of the Defts and it is thereupon Ordered that the State of Texas do have and recover of the Defendants above named, the costs of

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This suit, and the Defendants go hence without day.

1781	L D Carrington & Co Vs G Holt, Claimant	Continued generally
1844	A Thompson et als Vs W D. Thompson et als	Continued generally
1885	W G. Wallace Vs D C. Hoffington	Continued generally
1913	Francis J. Barziza Admr Vs James J. Holman	Continued generally
1921	State of Texas Vs John J. Thorn John J. Ford W B. Ochiltree W C. Philips, Admr	Continued generally
1922	State of Texas Vs John J. Thorn John J. Ford W B. Ochiltree	Continued
1925	State of Texas Vs Havens Alex Glenn J W. Johnson	Continued
1934	State of Texas Vs L W. Gilliam John D Love C Horton C Deakn	Continued
1937	State of Texas Vs Wm B. Covington George McKinzie M H. Bowers	Continued

District Court Minutes, Fall Term, November 15th 1865

1940 State of Texas vs Wm B. Covington } Continued

1943 Do vs Samuel Dunlap } And now at this day came the Parties to the above cause, and announced themselves ready for trial, and the Motion of Defts to set aside the judgement, Nisi, heretofore rendered, in this cause, coming on to be heard, and being considered by the Court, it is ordered that the judgement Nisi, heretofore rendered be set aside and the cause dismissed at the costs of Defendant, it is therefore ordered that the State of Texas do have and recover of the Defendant all the costs in this behalf expended, for which Execution may issue.

1944 State of Texas vs Samuel Dunlap } And now at this day came the Parties to the above cause, and announced themselves ready for trial, and the Motion of Defts to set aside the judgement Nisi, heretofore rendered, in the cause coming on to be heard, and being considered by the Court it is ordered that the judgement, Nisi, heretofore rendered be set aside and the cause dismissed at the costs of the Defendants, it is therefore ordered that the State of Texas do have and recover of the Defendant all the costs in this behalf expended, for which Execution may issue.

Do vs W A. Druill Shff } And now at this day came the Parties to the above cause, and announced themselves ready for trial, and the motion of the Defts to set aside the judgement Nisi, heretofore rendered in the cause coming on to be heard, and being considered by the Court it is ordered that the judgement, Nisi, heretofore rendered be set aside and the cause dismissed, at the costs of the Defendants, it is therefore ordered that the State of Texas do have and recover of the Defendant all the costs in this behalf expended, for which Execution may issue.

1945

1960 Samuel F Wheeler vs Wm P. Bennards Heirs } Continued

1961 James Wall vs D F. Brown } Continued

1965 Wm Bartlett vs Christiana Bartlett } Continued

1986 Handford & Browning vs Glascock & Millican } Continued

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1989	Ellen Duval et als vs A M. Davidson D.F. Hill	Continued
1993	J Bledsoe Adm'x vs P W. Humphrys Jane Humphrys Defts Heirs of Mrs Hanton inter'st	Continued
1997	M T. Bell vs John B. Perry	Continued
2001	L L. Sykes vs James H. Rogers Ed. H. Rogers Jo B. Rogers	Continued
2023	John Sykes Adm'r vs John Bolware et als	Continued
2039	T J. Duffaud vs John H. Conner	In this cause appeared the Plaintiff by his Atty and moved the Court to set aside the Judgement of dismissal of the cause rendered on the 13th inst because it was done through mistake. It is therefore ordered, adjudged and decreed, by the Court, that the judgement rendered on the 13th inst dismissing the cause be and the same is hereby annulled set aside and held for naught and the cause is hereby reinstated upon the docket for trial upon its merits.
2053	S M Swenson vs R H Simmons M H Bowers W G Johnson Phelps & Johnson	Continued
2055	S. C. Kirby vs H Bagarly C Bagarly	Continued
2060	Wm. A. Vanalstyne vs Chris Puckett	Continued for Service

District Court Minutes, Fall Term, Nov 15th 1865

2062	Austin, Sumner & Co vs E & A. VanEyck	Continued
2064	James Riley vs Joseph Webb James S Holman	Continued
2073	L D Carrington vs E.B. Smith W.L. Hill & W.M. Ford	Continued
2075	H.D McGuire & Wife vs Wm Smith David Wilson	Continued
2084	M. W. Townsend vs A H Cook	Continued
2086	John Bremond vs W D Thomson	Continued
2088	F. Stenssy vs P.K. Marshall "	Continued
2090	C.R. Johns vs E Kirk	Continued
2092	John. Smith vs D.L. Nichols	Continued
2094	C.C. Browning & als Admrs vs Jane B Sublett	Continued
2098	John Ferris vs Mary L Chalmers W L Chalmers	Continued

District Court Minutes, Fall Term, Nov 15th 1865

2104	State of Texas Vs C E. Barnard J L. Nillet J P. Marfield	Continued for Service
2105	State of Texas Vs C E Barnard J L. Nillet J P. Marfield	Continued for Service
2106	Do Vs C E Barnard J L. Nillet J P. Marfield	Continued for Service
2107	Do Vs A Menchanca G A. Paschal G W. Paschal	continued for Service
2108	State of Texas Vs A Menchanca G A. Paschal G W. Paschal	Continued for Service
2109	Do Vs Bird Cotton W A. Branch D H. Bartee	Continued for Service
2110	Do Vs Bird Cotton W A. Branch D H. Bartee	Continued for Service
2111	Do Vs Bird Cotton W A. Branch D H. Bartee	Continued for Service
2112	Do Vs Bird Cotton W A. Branch D H. Bartee	Continued for Service

District Court Minutes, Fall Term, Nov 15th 1865

2113	State of Texas Vs Bird Cotton W A. Branch D H. Bartee	Continued for Service
2114	Do Vs Bird Cotton W A. Branch D H. Bartee	Continued for Service
2115	Do Vs Frank Cotton H L. Cotton	Continued for Service
2116	Do Vs W B. Covington J F. Bowles W H. Storm	Continued for Service
2117	Do Vs W B. Covington J Weaver W H. Storm	Continued for Service
2118	Do Vs W B. Covington W H. Storm J Weaver	Continued for Service
2119	Do Vs W B. Covington J F. Beden J C. Carrodson	Continued for Service
2120	Do Vs R H. Cumby J J. Durham B J. Likens	Continued for Service

District Court Minutes, Hall Term, Nov 15th 1865

2121	The State of Texas vs R H. Crumby, B H. Likens & J J Durham	Continued for Service
2122	Do vs R H Crumby & J H Nelsons	Continued for Service
2123	Do vs R H Crumby & J H Nelms	Continued for Service
2124	Do vs Wm R. Henry & Sam McCulloch	Continued for Service
2125	The State of Texas vs Wm R. Henry, Sam McCulloch & Sam Jordan	Continued for Service
2126	Do vs Wm R Henry, Sam McCulloch & Sam Jordan	Continued for Service
2127	Do vs Tom Ochiltree, Phil Brown & Eli H Baxter	Continued for Service
2128	Do vs Tom Ochiltree, Eli H Baxter & Phil Brown	Continued for Service
2129	Do Tom Ochiltree, Eli H Baxter & Phil Brown	Continued for Service

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	The State of Texas vs	
2130	Ben Haines J A Smith W Clifton	Continued for Service
	Do vs	
2131	Ben Haines W Clifton J A Smith	Continued for Service
	Do vs	
2132	Ben Haines W Clifton J A Smith	Continued for Service
	Do vs Ben Haines	Continued for Service
2133	W Clifton J A Smith	
	Do vs	
2134	Ben Haines J A Smith W Clifton	Continued for Service
	Do vs	
2135	Ben Haines J A Smith W Clifton	Continued for Service
	Do vs	Continued for Service
2136	Jackson Martin B H Cotton	
	Do vs	
2137	B H Cotton Jackson Martin	Continued for Service
	Do vs	Continued for Service
2138	B H Cotton Jackson Martin	

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2139	State of Texas vs Irving Root B Dillingham James R Pace	Continued for Service
2140	Do vs Irving Root B Dillingham James R Pace	Continued for Service
2141	Do vs James M. Wilkins James M Hinney	Continued for Service
2142	Do vs Robert Thompson R. F. Carpenter	Continued for Service
2143	Do vs F. H. Anderson Shff Panola Co	Continued for Service
2144	Do vs James Harrington	Continued for Service
2145	Do vs D D Bonner	Continued for Service
↓ 2147	B A Shepherd vs John Phelps	Continued
↓ ↓ ↓ 2148	Wilson Green vs John C Duval George W Thompson	Continued
↓ ↓ 2149	Wm H Reed vs Asa McKenzie Alex McKenzie	Continued
↓ ↓ 2151	Carroll Henrick & Mead vs Adams & Goodrich	Continued

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2152 — Reid & Gracy vs Adams & Goodrich — continued

2153 — Cushing, King & DeGaud vs Adams & Goodrich — continued

2155 — D H Browning vs Berthier Manufacturing Co — And now Comes the Plaintiff by attorney and claims a judgment by default, because it appears that the defendants has been duly cited and has failed to answer plaintiffs petition within the time prescribed by law It is therefore ordered by the Court that the plaintiff D H Browning have and recover of and from the Defendants, the Berthier Manufacturing Company

2160 — S. M. Swanson vs Wm Harrison & Amos Morrill — continued

2161 — S. C. Brashear, Adm'r vs R J Downes — Death of Defendant Suggested and C. S. West executor made party Defendant and Cause continued

2163 — Shelby & Cannaglon vs Mc & Davis Et' als — continued

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2164	C Spaulding vs E. N. Ward	Leave given Defendant to amend his pleadings and Cause Continued
2166	G. W. White vs R. A. Lemon	Continued
2167	John W. McKenzie vs R. T. Townes & Geo W Paschal	Death of R T Townes suggested and C S Mebb to be made party Defendant and Cause Continued

X

And now at this day appeared in open Court the grand Jury of Travis County, duly elected, Tried, impanelled, and sworn, and charged for and during the present Term of the Court and through their Foreman Abner P Blocker, presented to the Court the following Bills of Indictments, to Wit:

1567	The State of Texas vs Joseph Henry	Plff vs Deft	Assault and with intent to Kill and Murder
1568	Do vs Joseph Henry	vs Deft	Theft
1569	Do vs James R Malone		Assault with intent to Kill and Murder
1570	Do vs James R Malone	Plff vs Deft	Theft
1571	Do vs J. N. Lightfoot, Lewis D Cornyews, Wm P Mabew, Wm Hollander	Plff vs Defts	False imprisonment
1572	Do vs Beck a Freedman	Plff vs Deft	Horse Stealing

And thereupon the Grand Jury Coming suggested to the Court, that there is other business pending before them they were ordered to retire upon a discharge of the same

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2170 — Francis J Duffau vs W S Oldham — And now on this day, comes the Plaintiff by his Attorney, and Claims judgement by Default, and asks that a jury be empannelled to ascertain the amount due plaintiff in this Suit, and it appearing to the Satisfaction of the Court that the defendant had been cited to appear in accordance with law and answer plaintiffs petition, and that he had failed to file his answer, but wholly made default and thereupon came a jury of twelve good and lawful men of Travis County to wit, Louis Elgin and eleven others who being duly tried, elected, and empannelled and Sworn accordingly, to law heard the evedence and the Charge of the Court, and retired for deliberation and thereupon said jury returned into Court the following verdict to wit: We the jury find that the defendant is indebted to the plaintiff in the "Sum of eight hundred and Seventeen dollors and thirty Seven cents ($817 37/100)" L. Elgin Foreman

It is therefore ordered, adjudged and decreed by the Court that the plaintiff Francis J. Duffau, have and receive of, and from said defendant W. Williamson S. Oldham Eight hundred and Seventeen dollors and thirty Seven cents with interest thereon at the rate of ten per cent per annum from the date of this judgement until paid, together with all costs in this behalf expended, for all which execution may issue as soon as allowed by law—

2171 — D R D. Chezum vs M W Townsend — Continued

2172 — Asa McKenzie vs James Wall & W. Davis — Continued

2243 — The State of Texas vs John M Swisher Et als — Continued

2245 — W. Oliphant vs W G Johnson — Continued

2247 — H. J. Duffau vs A. J. Hamilton — Leave given Plaintiff to amend and Continued

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V 2248	R. B. Townes vs A. J. Hamilton	Death of Plaintiff Suggested and C.S. West executor made party. Leave given Plaintiff to amend and Cause Continued.
V 2272	George B. Holland & Sp Sharman Holland vs P H Johnson, and Executors P M Swisher	Continued
V 2406	George Hancock vs Minus Long	Now on this day came the parties to the above cause & moved the Court that this Cause be dismissed at defendants Cost therefore It is ordered by the Court that this Cause be dismissed and that the defendant Minus Long pay all Costs in this behalf expended. for all of which execution may issue as soon as allowed by Law.

And Court adjourned until 9 Oclock to morrow morning.

Thursday Nov 16th 1865

Court opened pursuant to adjournment. Present the same as on Wednesday. Whereupon the following proceedings were had by said Court, to wit;

The following named persons appearing in open Court and taking the Amnesty Oath were qualified as practicing Attorneys and Counsellors at Law in the Courts of the State of Texas in accordance with their former licence to wit; W. H. D Carrington G. W. Paschal and Thomas Moore The following numbered Causes were disposed of as follows to wit;

VV 2007	Phelps & Johnson vs John Marshall & Co	Death of John Marshall Suggested his legal representatives be made parties when known
V 2074	Mary Ann Doran vs H M White Com'r	Continued
V 2095	H. Grooms vs Freeman & Holcomb	Continued
VV 2146	Wilds, K, Cook, Guard & vs Robert H Clemens & Louis Horst	Continued

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2150	S. B. Owens vs T. C & S Beeck	Continued
2156	Henry Steussy vs Augustus Schwartz	Continued
2157	L. D Carrington vs Edwin Waller Wm G. Johnson Joel A Burdett	Continued
2158	Sampson a Henries vs Geo. W. Glapcock	Continued
2159	Sampson a Henries vs E. S. Berry	Continued
2162	John. McGarvet vs Wm Armstrong	Continued
2165	Henry Steussy vs Augustus Schwartz	Continued
2168	Oliver Hedgecox vs Wm Oliphant Wm Custard	Continued
2169	O Hedgecox vs R. H. Simmons Mary E Simmons Wm G. Johnson	Continued
2173	John. Oliphant vs David Young Wm H Young	Continued
2174	Catharine Young vs David Young	Continued

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2175	J R. Thomas vs R. F. Townes	Death of Defendant Suggested and C.S. West Executor made party Defendant and cause Continued
2176	W. D. Scott vs W. Sams	Continued
2177	W. D. Scott vs James F. McLaurin A. H. Cook	Continued
2180	John T. Allen vs George Flournoy A. H. Cook	Continued
2181	Ellen Durall vs J. M. Bennett Geo W. Davis Thos Adams	Continued
2182	C R Johns Guard vs James P Hector	Continued
2183	Ellen Durall vs Wm Y Dyer L. M. Stevenson	Continued
2184	John P Jones vs A. H. Cook C. H. Keton	Continued
2185	H C Stewart & Admr vs C L Nitykee	Continued
2186	W A Vanvalstyne vs A. W. Terrill	Continued
2187	John A. Caldwell vs Wm Gruber	Continued

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2188	John McStevens & Co vs Mallcom & Blackwell	Continued
2189	Charles Krohn vs J R. Simms M W. Townsend	Continued
2190	Charles Krohn vs Matthew Hopkins & H W. Chandler	Continued
2191	H Vanburen vs W M. Booth	Continued
2192	C C. Browning Exrs vs Estate L S. Friend & John S. Friend	Continued
2195	C C. Browning Exrs vs Admr Joseph Lee	Continued
2196	A Bahn, Agent vs P Delordova	Continued
2199	The State of Texas vs John Baker	Continued for Service
2200	The State of Texas vs W R. Poag W V Mann P W. Clements A M. Sanford	Continued for Service
2201	The State of Texas vs R H Crosby B H. Durham John D Moss	Continued for Service

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2202	The State of Texas vs R. H. Crumby, B. H. Durham, John D. Mays	Continued for Service
2203	Do vs R H Crumby, B H Durham, John D Mays	Cont'd for Service
2204	Do vs Alfred Robinson, John Barbaye	Cont'd for Service
2205	Do vs John H Connor, Salina A Connor, James A Thompson, M. H. Johnson	Continued for Service
2206	R. M. Johnson vs W. S. Oldham	Continued
2207	John H Harmons vs Wm Fowler	Continued
2209	A H Cook vs Wyan Wright, J. M. Dixon	Continued
2210	David Chamberlain vs J. L. Peary	Continued for Service and to issue to Williamson County and leave given Plaintiff to amend
2211	Thompson P Redding vs D Holeman	Continued
1426	Simpson & Hamrick vs Josiah Fiske Defendant, John Holeman, Joseph Holeman, Gar	Continued

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2213	The State of Texas vs R P Boyce Etal	Continued
2214	Curtis Spaulding vs Lewis Horsh	Continued
2215	John Vale vs Skinner & Swenson	Continued
2216	John Vale vs A. F. Rose Etals	Continued
2218	W Davis vs M G Johnson Aaron Burleson	Continued
2219	S. S. Nichols vs W P. DeNormandie	Continued
2220	Wm Jones vs D E. Watrous and cause Continued	Death of Defendant Suggested his representatives to be Made parties when known —
2221	O.H. Mooney vs John H Connor	Continued for Service
2222	Mitchell & Sprowy vs Jasper L Holmes	Continued for Service
2224	W.W. & J.Y. Brown vs Thos H. Jones Culberton & Williams	Continued for Service
2225	N.W. Burdett Admr vs A H. Blackwell Amos Morrill A.H. Cook	Continued

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2226	W. G. Lyman vs C L Nitschke	Continued
2228	Alfred Von Eyck vs Henry A Hannelton	Continued
2229	A B McGill vs Henry A Hamilton	Continued
2232	Elizabeth Rapp vs John M Rapp	Continued
2234	Wm Rapp vs C R Johns Comp	Continued
2235	Evan Williams vs Francis Williams	And now at this day Came the Plaintiff by his attorney and moved the Court to dismiss this Cause.

therefore it is Considered by the Court that this Cause be dismissed and that Said Plaintiff Williams pay all Costs in this behalf expended for which execution may issue.

2236	Henry Pitt vs John F Pitt	Now at this day Come the Plaintiff by his attorney and moved the Court to dismiss this Cause at Plaintiffs Cost therefore it is ordered by the Court that this Cause be dismissed and that the Said Plaintiff Pitt pay all Costs of this Suit.
2237	Martha Mays vs Wm Grant	Continued
2240	W A. Ezell vs H W Schemmeller Admr of John Kemphell	Continued
2251	The State of Texas vs Rollo Johnson	Continued for Service
2252	The State of Texas vs Thomas H Bacon	Continued for Service

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2254	The State of Texas vs John H. Miller	Now at this day come the parties to the above entitled cause by their attorneys and announced themselves ready for trial, and on motion to remit Defendants fine and dismiss this cause, the Court ordered that said Defendants fine be remitted and cause dismissed
2262	Thos. Wm. Ward vs Susan L. Ward John Brenwood Rue Thos. L. Collins Shff	Continued
2263	Aaron Bailey vs Mark Grigsby	Continued
2265	Caroline Fontwell vs Josiah Fisk	Continued
2266	M. M. McLaughlin vs C. F. Ebell & W. B. Burkmett	Continued
2267	Wm. Rusk vs Wellis Truett	Continued
2268	Nancy J. Slayton Exrx vs James Pugh	Continued
2273	J. J. Myres vs George W. White J. L. Dasehal William Dey	Continued
2278	The State of Texas vs Robert Smith	Continued for Service
2283	The State of Texas vs J. G. Harrell	Continued for Service
2285	Avis Semply vs David B. Semply	Continued for Service

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2287	Price Dillingham vs Amos Morrill	Continued
2291	The State of Texas vs Wm Hudson & G. Smith & Thomas McPeel	Continued for Service
2292	Do vs Agnes Lucksinger & Steury	Continued for Service
2293	Do vs J. Mercer	Continued for Service
2294	The State of Texas vs Alex Smith	Continued for Service
2295	Do vs H B Sawyer	Continued for Service
2296	The State of Texas vs Frank a Mexican	Continued for Service
2298	Blankwell & Dicks vs S. W. Reid & Co	Continued
2297	John D Elliott vs S. Hank,	Continued
2299	C. Krolein vs A. Assig	Continued
2300	Joseph Worrell vs R. L. Jones & Wals	Continued
2369	L. L. Hatchkiss & Wals vs S. Sampson & Geo W Sampson	Continued for Service on S Sampson

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2370 John Brannon vs D.L. Crosby — Continued for Service

2371 Thomas Brannon vs Josiah Fisk — Continued for Service

2388 John J Brown vs Thos A Jones Et als — Leave given Plaintiff to amend

Ex Parte
Geo W Paschal Jr
W.D. Price

The application of Geo W Paschal Jr and W.D. Price for licence to practice law in the District Courts of this State, was made in open Court and therefore Majors West, Gray & Roberts were appointed a Committee to examine the applicants touching their qualifications

And now at this day came and appeared in open Court the Grand Jury of Brazos County, duly elected tried empannelled Sworn and Charged for and during the present term of the Court and through their foreman Abner D Blocker presented to the Court the following bills of Indictments to wit:

1573 The State of Texas vs Dock a. Freedman — Plaintiff / Defendant — Horse Stealing

1574 The State of Texas vs Dock a Freedman — Plaintiff / Defendant — Horse Stealing

1575 The State of Texas vs Williams Brown — Plaintiff / Defendant — Horse Stealing

1576 The State of Texas vs Henry Earl — Plaintiff / Defendant — Horse Stealing

And Court adjourned until to morrow morning 9 O'clock A.M.

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Court met pursuant to adjournment. Present the same as on yesterday. Whereupon the following proceedings were had by said Court. to wit; Ordered by the Court that the following causes be continued

2275	Chevallier & Johnson vs Samuels & Mason & John Lawler	Continued
2301	Arnold Brockett vs John D Beech	Leave given Sheriff to amend his returns
2302	H E Smith admr vs Turner & Davis	Continued for Service on Davis
2285	Chris Sample vs David B Sample	Continuance set aside Leave given Sheriff to amend his return, and Continued
2303	H E Smith admr vs J Hughes Et al	Continued for Service
2304	H E Smith admr vs Augustus B Slaughter Albert Weir & John D Brent	Continued for Service
2305	H E Smith admr vs Dennis L Hobby A B Slaughter Albert Weir	Continued for Service
2306	H E Smith Admr vs D J Nichols A B Slaughter A B Weir	Continued for Service on Slaughter
2307	H E Smith admr vs Albert Weir & als	Continued for Service on Slaughter
2388	John T Brown vs Thos A Jones et al	Continued for service

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Alfred D. Luckett vs Dennis D Nestor — Leaves the Plaintiff by attorney and on his motion leave is given the Sheriff to amend his return to the Citation and afterwards, (On November 17th 1865) this Cause being regularly called on the Docket on motion of the Plaintiff for judgement by default and it appearing to the Court that the Plaintiffs Cause of action is legibly dated and proved by the written instrument Sued on and now exhibited to the Court It is therefore considered by the Court that the said Plaintiff Alfred D. Luckett have and recover of the said Defendant Dennis D. Nestor the sum of One hundred and ninety three dollars and thirty one Cents and interest on this judgement at ten per Cent per annum together with all Costs of suit for all of which execution may issue when authorized by Law—

April 23 1867 Assigned by transfer this judgment to Plaintiff with all the rights and liability of the Same in the Judgment to a Court Clerk dollars. Alfred T Luckett

2309 — W. H. Westfall vs George Flournoy & als. — Continued for Service

2310 — Francis B. Brown Admr vs John S. Ford — Continued by operation of Law.

2311 — M. K. Ryan vs George D Shepherd — Continued by operation of Law

2312 — J. M. Stemler vs John S Ford — Continued by operation of Law

2313 — Pauline Taylor vs Dennis Taylor — Continued by operation of Law

2314 — Emeline Baldwin vs John Baldwin — Continued for Service

2315 — John. Brennond. vs Wm Cantrell — Leave given Sheriff to amend his return —

2316 — John Brennond vs John McGuire — Leave given Plaintiff to amend his petition

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2317	M.K. Ryan vs J.M. Whipple	In this cause appeared the parties Plaintiff and Defendant to this Cause by attorneys and agreed to dismiss this Cause at Defendants costs It is therefore ordered adjudged & decreed by the Court that this Cause be dismissed and that the Defendant have nothing by this his suit and that the Defendant go thereof without day It is further ordered by the Court that the Plaintiff M.K. Ryan do have and recover of and from the Defendant J.M. Whipple the costs of this suit for which execution may issue when authorized by law
2319	A.H. Bowers vs Christian Gorlitz	Leave given Sheriff to amend his return
2320	R.H. Castleman vs Black & Morrill	Continued for Service on Black
2321	R.M. Castleman vs Rogers & Morrill	Continued
2323	R.M. Castleman vs Cook & Morrill	Now on this day came the Plaintiff by attorney and claims judgement final by default because it appeared to the Court that the Defendants Cook & Morrill had been legally Cited and Served by process and that the Defendant A.H. Cook had failed to answer this the Plaintiffs Petition within the time required by law and that the Defendant Amos Morrill appearing in Court in his own proper person withdrew his answer filed in this Court and the Plaintiffs demands being liquidated It is therefore ordered adjudged and decreed by the Court that the Plaintiff R.M. Castleman do have and recover of the Defendants A.H. Cook and Amos Morrill the sum of one hundred and thirty five 75/100 dollars $135 75/100 being the sum due on the note or obligation in writting bearing twelve per cent interest being principal and interest together with interest on the same at the rate of twelve per cent per annum until paid and also the further sum of eighty six 90/100 dollars $86 90/100 being the principal and interest due on the obligation in writting drawn for the sum of Sixty five dollars together with interest on the same at the rate of eight per cent per annum until paid and for all costs of suit for which execution may issue when authorized by law

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2324 R. M. Castleman vs Roberds & Carr — Leave given Plaintiff to amend his petition and Continued for Service on Carr

2325 Giles H. Burdett vs Wm B Burdett. Et als — And on this day came the Plaintiff to the above cause by attorney and moved the Court to dismiss this Cause at Plaintiffs Cost. It is therefore ordered adjudged and decreed that this Cause be dismissed and it is further ordered adjudged and decreed by the Court that the Plaintiff Giles H Burdett have nothing by this his suit and that Plaintiff go hence without day, and it is further ordered by the Court that the Defendants Wm B Burdett & others do have and recover of and from the Plaintiff all Costs of this suit

2326 Dennis H. Raymond vs A. H. Cook — This day came the Plaintiff by Attorney and moved the Court to dismiss the above entitled Cause at Plaintiffs Cost, therefore it is ordered adjudged and decreed that this Cause be dismissed at Plaintiffs Cost for which execution may issue as soon as permitted by law.

2327 John S. Spence vs John T. Beck & Wife — Continued for Service.

2328 Alfred G. Luckett vs Abner P Blocker — Comes the Plaintiff by Attorney and on his motion leave is given the Sheriff to amend his return and afterwards (November 17th 1865) this Cause being regularly called on the Docket and the Defendant comes not, and on motion of the Plaintiff for judgement by default and it appearing to the Court that the Plaintiffs Cause of action is liquidated and proved by the written obligation sued on now exhibited to the Court It is therefore Considered by the Court that the said Plaintiff Alfred G. Luckett have and recover of the Defendant Abner P Blocker two hundred and fifty Seven 50/100 dollars and that the judgement bear interest at ten per Cent per annum together with all Costs of Suit for all of which execution may issue when authorized by Law.

Dec. 2nd 1865 A. P. Blocker the Def. in this suit files a motion to set aside Judgment of Nov. Term 1865 in favor of Alfred G. Luckett

2329 M. K. Ryan vs John P Dent — In this Cause on motion of the Plaintiff leave is given the Sheriff to amend his Return to the Citation and afterwards this Cause being regularly called on the Docket and the Defendant Came not

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and on Motion of the Plaintiff for judgement and it appearing to the Court that the Plaintiffs demand is liquidated and proved by the note sued on and now exhibited to the Court it is Considered by the Court that the Plaintiff Ryan - do have and recover of the said Defendants D D Jones the sum of three hundred and twenty nine 32/100 dollars, and interest upon this judgement at ten per Cent per annum and all Costs of Suit for all of which execution may issue when authorized by Law -

	M K Ryan vs Joseph Bernhart	In this cause Comes the Plaintiff by Attorney, and on his motion leave is given the Sheriff to amend his return to the Citation and afterwards (Nov 17th 1865) this Cause being regularly Called the Defendant Comes not but makes default and on motion of the Plaintiff for judgement by default and it appearing to the Court that the Plaintiffs demand is liquidated and proved by the written instrument sued on and now exhibited to the Court it is Considered by the Court that the said Plaintiff M K Ryan do have and recover of the said Defendant Joseph Bernhart the sum of two hundred and Six 75/100 dollars (and interest on this judgement at ten per Cent per annum) and all Costs of Suit for all of which execution may issue when authorized by Law
2331	W A Ransom Exrs vs Ella Earnest Exrs	Continued for Service
2334	A Bohn vs George Flournoy Exr	Continued for Service
2335	Horatio Grooms vs Margaret Grooms to defend -	Leave given Sheriff to amend his Return - Morris & Sneed appointed
2336	Woodlief Thomas vs D D McGarry	Continued for Service
2338	Isaac McDowell vs L L Friend	Individual attachment ordered and Cause Continued
2340	D D Davis vs D W Parks	Continued for Service

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V 2341	J. D. McGary vs A. H. Cook	Continued
V 2342	J. D. McGary vs A. C. & W. H. Hall	Continued
2343	J. D. McGary vs G. W. Glazebrook & Wife vs G. W. Glazebrook	Leave given Sheriff to amend his return and Continued for Service
V 2344	J. D. McGary vs Thomas H. Jones & Wife	Leave given Sheriff to amend his return and Continued.
V 2345	George Saunders vs W. G. McFarland & Wife	Continued for Service
V 2346	Wm. D. Smith vs Jonathan Rogers	Continued
V 2347	James H. Murray vs John Kolbenveder	Continued for Service
V 2348	Sewells Hammon & Co vs W. H. Morris & Wife	Continued for Service
V 2350	James D. McGary vs John A. Black	Continued by operation of Law
V 2349	W. B. Armstead vs John H. Walker	Continued for Service
V 2351	John V. Brennond vs S. M. Wrenhe & Wife	Plaintiff has leave to file an Amended Petition and cause Continued for Service
V 2354	Simon Loomis vs W. P. Medin	Continued for Service

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2355	Simon Loomis Exr vs W P Mabin	Continued for Service
2356	Felix G Smith vs R L Culpperton Exrs	Continued for Service
2357	J R Billingsly vs R H Rutherford	Continued for Service
2359	Charles Herrmann vs Thomas H Jones & G W Powell	On this Cause appeared the Plaintiff by his Counsel and obtained leave to file an amended Petition and the Plaintiff dismisses his Suit as to the Defendant G W Powell. It is therefore ordered adjudged and decreed by the Court that this Suit as against the Defendant G W Powell be dismissed and that said Defendant G W Powell go hence without day and that the said Defendant G W Powell do recover and receive of and from the Plaintiff Charles Herrmann all the Costs of this Suit expended for or on account of him the said G W Powell for which execution may issue according to law. It further appearing to the Satisfaction of the Court that the Defendant Thomas H Jones has been legally served in this Cause and that he has failed to appear and file his answer within the time prescribed by law but wholly made default. It further appearing to the Court that this Suit is brought upon a liquidated demand. It is therefore ordered adjudged and decreed by the Court that the Plaintiff Charles Herrmann do have and recover of and from the Defendant Thomas H Jones the Sum of One hundred and Sixty one 35/100 dollars for his principal debt and interest up to this day with eight per cent per annum thereon from this date and his said together with all Costs of this Suit expended for or on his account for which execution may issue according to law.
2360	John Brennand vs J B Bennett	Continued for Service
2362	John Brennand vs A H Cook	On this Cause appeared the Plaintiff by his Attorney and it appearing to the Satisfaction of the Court that the Defendant had been legally served with Copy of writ and petition. And it further appearing to the Court that the Defendant A H Cook has failed to appear and file his answer within the time

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described by law but wholly made default
& further appearing to the Court that this
suit is brought upon a liquidated demand
it is therefore ordered adjudged and de-
creed by the Court that the Plaintiff John-
Bremond do have and recover of and from
the defendant R. McJohnson the sum of one-
thousand and sixty three 44/100 dollars for his
principal debt and interest up to this
date with twelve per Cent interest from
this date until paid together with all the
Costs of this suit for which execution may
issue in accordance with law

This judgment Rendered to be transferred to Atlas B remanded to file 9 dec 65 Payment and acceptance 13th day of March 1871 H. Hamilton

2363

John Ashurst Et al
vs
R McJohnson

In this Cause appeared the Plaintiffs by their Attorneys and it appearing to the Satisfaction of the Court that the Defendant R McJohnson had been legally Served with the usual Copy of Petition and that the defendant has failed to appear and file his answer in the time prescribed by law but wholly made default & further appearing to the Court that this suit is founded upon a liquidated demand & it is therefore adjudged and decreed by the Court that the Plaintiff John Ashurst Louis Ashurst and Wm Ashurst do have and recover of the Defendant Richard McJohnson the sum of six hundred and twenty five 50/100 Dollars for their principal debt and interest up to this date with interest at eight per Cent from this date until paid together with all Costs of this suit for which execution may issue according to law

2365

Thomas Freeman Et al
vs
J W. Nolen

In this Cause appeared the Plaintiffs by their Attorney & it appearing to the Court that the defendant has been legally Served in this Cause and that the defendant has failed to appear and file his answer within the time prescribed by law but wholly made default and it further appearing to the Court that this suit is brought upon a liquidated Claim and it is therefore ordered adjudged and decreed by the Court that the Plaintiffs Thomas Freeman and Meredith Melton under the firm name and Style of Freeman & Co do have and recover of the defendant J W. Nolen the sum of one hundred and fifty two 45/100 dollars for their principal debt and interest up to this date.

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and ten per cent interest from this date until paid together with all costs of this suit for which execution may issue according to law

Thomas Freeman
vs Et al
Mathew Hopkins

In this Case appeared the Plaintiffs by attorneys and it appearing to the Court that the defendant has been legally served and that this suit is founded upon an liquidated demand & further appearing to the Court that the defendant has failed to appear and file his answer in the time prescribed by law but wholly made default & it is therefore ordered adjudged and decreed by the Court that the plaintiffs Thomas Freeman and Meredith Walton do have and recover of the Defendant Matthew Hopkins three hundred and Eight 46/100 dollars for his principal debt and interest up to this date with ten per cent interest from this date until paid and all the Costs of this suit for which execution may issue according to law

V J 2367

Quashed March 1st 1866
This suit compromised & in favor of Plff
Plff pays all costs
Defendant

R E McJohnson
vs
R A Rutherford Et al

Continued for Service

V J 2372

John Wilbahn
vs
Joseph Earl Et al

Continued by agreement

V J 2373

C R. Johns
vs
J D. Masely Et al

Continued

V J 2374

W M Walton
vs
Sol Lockwood

Continued for Service. Leave given Plaintiff to amend his Petition

V J 2375

W A. Morris
vs
D B. Hays Et als

Comes the Plaintiff by attorney, and Moves the Court to dismiss this Cause as the Plaintiffs cost, it is therefore ordered adjudged and decreed by the Court, that this Cause be dismissed, and that the defendants D B. Hays Et al do have and recover of and from the Plaintiff W A. Morris, all costs expended for or on his account in this Suit

V J 2376

W A. Morris
vs
Andrew Kruger

Leave given Sheriff to amend his Return

V J 2377

C Wahrenberger
vs Admr
C Raven

Continued for Service

V J 2378

District Court Minutes, Hall Term, Nov 9th 1865

2379 — D. D. McGary vs R. A. Rutherford Et als — Continued for Service

2380 — James C. Ward vs W. W. Townsend Et al — Continued by Consent and leave given Defendant to amend his answer—

2384 — James H. Raymond vs Alexander Gregg — Continued for Service

2386 — R. M. Johnson vs D. D. Smith — And now on this day Comes the Plaintiff by his Attorney and Claims Judgement by default in said suit and it appearing to the Court that Defendant had been Cited to appear and answer Plaintiffs Petition in accordance with law and that he had failed to appear and answer said Petition within the time required by law but wholly made default it is therefore ordered adjudged and decreed by the Court that the Plaintiff R. M. Johnson have and recover of the defendant D. D. Smith, two hundred and Eight dollars and twenty Six Cents with interest thereon at the rate of ten per Cent per annum from the date of this judgement until paid to gether with all Costs in this behalf expended for which execution may issue as soon as allowed by law—

2387 — R. M. Johnson vs Joseph Lee — Comes the Plaintiff by Attorney and Claims Judgement by default and it appearing to the Court that the defendant has been legally Cited to appear and answer Plaintiffs Petition in accordance with law and failed so to do within the time required by law but wholly made default it is therefore ordered adjudged and decreed that the Plaintiff R. M. Johnson do have and recover of the defendant Joseph Lee the Sum of four hundred and Seventy Nine 50/100 Dollors his principal debt and interest to date, with interest at the rate of ten per Cent per annum from the date of this judgement until paid and all Costs in this behalf expended for which execution may issue according to law—

2130 — S. B. Owens vs F. A. S. Beck — On this Case appeared the Plaintiff by his attorneys and it appearing to the Court that the defendants F. A. S. Beck has accepted Service and that this Suit is founded upon a liquidated Demand It further appearing to the Court that the defendant F. A. S. Beck has failed to appear and file his answer within the time prescribed by law but wholly made default

District Court Minutes, Axell Term, Nov 29th 1865

It is therefore ordered adjudged and decreed by the Court that the Plaintiff D B Owens do have and recover of and from the Defendant J. to S Beck three hundred and twenty five 42/100 Dollors for his principal debt and interest up to this date with eight per Cent interest from this date untill paid and all Costs of this Suit for which execution may issue according to law-

✓ 2391	S W Swenson vs Charles McKinney	Continued for Service
✓ 2393	S W Swenson vs L S Millett	Alias ordered to Burleson County and Cause continued
✓ 2396	S W Swenson vs G W Glasscock	Judicial Attachment ordered and Cause continued
✓ 2399	S W. Swenson vs D. D. Nichols	Continued for Service
✓ 2400	Kenner & Rector vs Curry V. Axell	Leave given Plaintiff to amend
✓ 2402	H. W. Toepermein vs Adolph Assig	Leave given Plaintiff to amend
✓ 2404	Charles Krohn vs Wm P Mabin	Continued for Service on Mabin
✓ 2407	Amas Morrill vs D K Newell	Continued for Service
✓ 2408	John. P. Key vs W. B. Coffee Et als	Continued for Service
✓ 2409	W. A. Ransomalee vs John P Vasser	Continued for Service

District Court Minutes, Fall Term, Nov 17C 1865

1571	The State of Texas vs. Wm Hollander and Other	Plff Defts	And now at this term appears in open Court William Hollander as principal and A K. Cozier, John Hollander and W.S. Barnes as his 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 Goods, and Chattels, lands and tenements, but to be void if the said William Hollander make his personal appearance at the present term of the District Court of Travis County in the City of Austin there to remain from day to day of said term and from term to term thereafter to answer an indictment preferred against him by the Grand Jurors of Travis County, at the Fall Term of the District Court of said County A.D. 1865 in which indictment, the said William Hollander, is charged with the false imprisonment of one Geo W. Paschal - and that the said Wm Hollander, does not depart said County, without leave of the same.

by Sheriff

District Court Minutes, ... Term, ... 186

And ordered that the Court Stand adjourned until to morrow morning at 9 Oclock.

Saturday Nov 18th 1865

Court convened at 9 Oclock A.M. pursuant to adjournment Present the Same as on yesterday whereupon the following proceedings were had by said Court to wit:

District Court Minutes, Fall Term, November 16th 1865

2318 — G. L. Cram vs. L. W. Townsend — Now on this day November 18th 1865, come the parties in this cause, by Attorneys, and announced themselves ready for trial, and the Defendants exception to Plaintiffs petition being duly considered by the Court; the same is over ruled, Whereupon the Parties Plaintiff and Defendant agree in Open Court to Waive a Jury and Submit their said cause to the Court, and the said cause being submitted to the Court without the intervention of a Jury, after hearing the Allegations, proof and Argument of Counsel and duly considering the same it is ordered, adjudged and decreed by the Court that the Plaintiff Gilbert L. Cram, do have and recover of and from the Defendant Morton W. Townsend the Sum of One Hundred and fifty One & 50/100 ($ 151,50) Dollars, and all costs of Suit in this behalf Expended, for which Execution may issue when authorized by law. It is further ordered that this Judgement bear interest at the rate of twelve per cent per Annum, from this date in till finally paid.

2400 — Kenner Recor vs Curry V. Ezell — Continued for Service

2322 — Jarad Johnson vs J. W. Nolen — Continued

2335 — Horatio Grooms vs Margaret Grooms — On this day (November 18th 1865) the cause being regularly reached on the Docket, came the Parties by Attys. and the demurrer of Defendant to Plaintiffs Petition being fully understood by the Court was overruled, and the parties announced ready for trial, And thereupon come a Jury to wit: G. W. Davis and Eleven others, good and lawful Men of Travis County, duly Sworn who after hearing the pleadings, evidence and charge of the Court after deliberation returned into Court their verdict as follows. We the Jury find that the Allegations in Plaintiffs Petition, are true as the same stated. G. W. Davis foreman. And the Court being satisfied that the evidence is full and satisfactory sustaining said verdict, It is Ordered, adjudged and decreed by the Court, that the bonds of Matrimony heretofore existing between the said Horatio Grooms and Margaret Grooms, be and they are hereby dissolved and that they be, and are hereby divorced from each other. And it is further Ordered that the Plaintiff recover of said Defendant all costs herein expended for which Execution may issue when Authorized by Law.

2359 — K. M. Riley vs G. M. Blackwell et al — On this day (November 18th 1865) this cause being regularly called and comes the Plaintiff by Atty and dismisses his suit as to W. B. Oldham who is not served with process and the other defendants come not and thereupon comes a Jury to wit: G. W. Davis and Eleven others good and lawful Men of Travis County, duly Sworn, who after hearing the pleadings, evidence and the charge of the Court, retired to consider of their verdict and afterwards the Jury return into Court their Verdict as follows: We the Jury find for the Plaintiff the Sum of Nine Hundred and fourteen Dollars ($914,33) and also that the land described in Plaintiffs Petition is liable for this Amount (Signed) G. W. Davis foreman it is therefore considered by the Court that the said Wm. M. Riley, Administrator of the Estate of John Dancer deceased do have and recover of the said defendants, G. M. Blackwell and S. W. Chandler the Sum of Nine Hundred and fourteen Dollars and interest on this Judgement at ten per cent and all costs of Suit, and it is further

District Court Minutes, Fall Term, Nov 14th 1865

Ordered, adjudged and decreed, by the Court that the said Land described in the Plaintiffs Petition be held liable and bound for the payment of said sum and that an order of Sale do issue commanding the Sheriff of Travis County to sell under the rules regulating Sales under Execution the said Land described in the Petition to wit; Laying and being situated in Travis County on the West Bank of the Colorado River about Six miles above the City of Austin known as a part of the 640 acres granted to David Thomas, beginning at the N.W. Corner of Survey No 4, at a Stake on the bank of the River from which an Elm Marked T bears S. 40° W, 12 Varas another Marked B, bears S. 70° W. 24 Varas, thence up the River with the Meanders, 1st N. 20° W. 150 Varas, 2d N. 30° W. 390 Varas. 3d N 10° W. 15 Varas a Stone Mound on the bank of the River from which an Elm marked T. bears S. 24° W. 13 Varas and a Hackberry Marked W. bears S. 24° W. 15 Varas, Thence S. 30° W. 4133 Varas to a Stake on the South side of Bee Creek, Thence S. 60° E. 950 Varas a Stone Mound on the South side of Bee Creek from which a Cedar marked H. bears S. 40° W. 10 Varas another marked H. bears N. 65° E. 9 Varas. Thence N. 30° E. 60 Varas, with the Meanders Bee Creek 1100 Varas, a branch 3000 Varas a branch 3399 Varas to place of beginning. containing 442 acres more or less. The proceeds of such Sale to be applied to the discharge of this Judgement the remainder of proceeds if any to be delivered to the defendant. And it is further ordered that in the event that the said property fails on Sale thereof made, to bring a sufficient sum to discharge this Judgement, then and in that case execution may issue against the defendants A.M. Blackwell and S.W. Chandler for such remainder said Order of Sale and Execution to issue when Authorized by law.

James F. Johnson Atty
vs
Abner H. Cook
Joseph Harrell
2339 Continued by consent of Parties

Ex Parte
W D Price
Geo W Paschal Esq
In District Court Fall Term 1865
Application for Law License
And on this day the report of the Committee heretofore appointed to examine the above named Applicants being received, it is ordered by the Court that W.D. Price and Geo W. Paschal Esq be admitted to practice Law in the District Courts of the State of Texas, and the Clerk of the Court is directed to furnish to each of them a Certified Copy of this Order to serve them as License

And Court adjourned until monday morning at 9 Oclock A.M

District Court Minutes, Fall Term, Nov 20th 1865

Monday, Nov 20th 1865

Court met pursuant to adjournment present the same as on Saturday. Whereupon the following proceedings were had to wit:

132	The State of Texas vs Blake Thompson	Death of Defendant made known and case Dismissed.
142	Do vs E.C. Travelsted	Dismissed by Dist Attorney
146	State vs E.C. Travelsted.	Dismissed by Dist attorney
152	State vs E.C. Travelsted	Dismissed by Dist Attorney
153	State vs B.H. Thompson	Death of Defendant made known and Dismissed by Dist attorney
463	State vs Joseph Hodges	Dismissed by Dist Attorney
611	State vs John L Thorn	Dismissed by Dist Attorney
612	State vs John L Thorn	Dismissed by District Attorney
625	State vs Wm A. Bates	Dismissed by Dist Attorney
632	State vs Wm A. Bates	Dismissed by Dist attorney
769	State vs Thurman Case	Dismissed by Dist Attorney
772	State vs Cummins & Haley	Dismissed by Dist Attorney

District Court Minutes, Fall Term, Nov 20th 1865

858	The State of Texas vs J Bergamen	Dismissed by Dist. attorney
899	State vs Alfred Evans	Dismissed by Dist. attorney
900	State vs J. C. Evans	Dismissed by Dist. attorney
905	State vs John Marshall	Dismissed by Dist attorney
907	State vs John Marshall	Dismissed by Dist. attorney
908	State vs John Marshall	Dismissed by Dist attorney
909	State vs W. C. Phillipps	Dismissed by Dist attorney
910	State vs Geo W. Paschal	Dismissed by Dist. attorney
1168	State vs Longley & Cavinefs	Dismissed by Dist. attorney
1171	State vs J. W. Kirk	Dismissed by Dist. attorney
1189	State vs Frank Easton, alias Houghton	Dismissed by Dist attorney
1236	State vs Jacob Burleson	Dismissed by Dist attorney
1258	State vs B. H. Cundy	Dismissed by Dist. attorney

District Court Minutes, Fall Term, Nov 20th 1865

1269	State Vs. R. H. Crumby	Dismissed by Dist. Attorney
1292	State Vs. Jack Robinson	Dismissed by Dist. Attorney
1319	State Vs. J. H. Osmond	Dismissed by Dist. Attorney
1298	State Vs. Margit Flores	Dismissed by Dist. Atty
1333	State Vs. R. H. Crumby	Dismissed by Dist. Attorney
1346	State Vs. James Armstrong James O'Connor	Dismissed by Dist. Atty
1349	State Vs. Irving Root	Dismissed by Dist. Atty
1348	State Vs. Irving Root	Dismissed by Dist. Atty
1364	State Vs. Sam Newell	Dismissed by Dist. Atty
1391	State Vs. Joseph Harrison	Dismissed by Dist. Atty
1383	State Vs. J. M. Drake	Dismissed by Dist. Atty
1387	State Vs. O'Montgomery	Dismissed by Dist. Atty

District Court Minutes, Fall Term, Nov 2d 1865

1389	State vs Smith	Dismissed by Dist. Atty
1392	State vs Geo W. Paschal Jr	Dismissed by Dist. Atty
1393	State vs J W. Smith	Dismissed by Dist. Atty
1352	State vs Jesse Graham Joseph E. Caperton William Caperton, H. W. Edward	Continued for service
1394	State vs Ben Hines	Dismissed by District Attorney
1395	State vs Ben Hines	Dismissed by District Attorney.
1396	State vs Ben Hines	Dismissed by District Attorney.
1397	State vs Ben Hines, Sam Scales and A. Manchac	Dismissed by District Attorney.
1398	State vs Ben Hines, Sam Scales and A. Manchac	Dismissed by District Attorney
1399	State vs Ben Hines, Sam Scales and W. D. Schoolfield	Dismissed by District Attorney
1400	State vs Ben Hines,	Dismissed by District Attorney.
1401	State vs Tom Bowles et al	Dismissed by District Attorney

District Court Minutes, Fall Term, November 20th 1865

1402	State vs Ben Hines et al	Dismissed by District Attorney
1403	State vs Sam Scales et al	Dismissed by District Attorney
1404	State vs Sam Scales et al	Dismissed by District Attorney
1405	State vs Sam Scales et al	Dismissed by District Attorney
1406	State vs J. J. H. Cook et al	Dismissed by District Attorney
1407	State vs Sam Scales et al	Dismissed by District Attorney
1408	State vs Sam Scales et al	Dismissed by District Attorney
1409	State vs Sam Scales et al	Dismissed by District Attorney
1410	State vs Fred Tate et al	Dismissed by District Attorney
1412	State vs Tom Bowles et al	Dismissed by District Attorney
1413	State vs Bill Wheelock	Dismissed by District Attorney
1418	State vs Bill Wheelock	Dismissed by District Attorney
1419	State vs Ben Hines	Dismissed by District Attorney

District Court Minutes, Fall Term, November 20th 1865

1424	State vs W. D. Schoolfield	Dismissed by District Attorney
1425	State vs A. Manchac et al	Dismissed by District Attorney
1426	State vs A. Manchac et al	Dismissed by District Attorney
1427	State vs A. Manchac	Dismissed by District Attorney
1428	State vs Antonio Manchac	Dismissed by District Attorney
1430	State vs Pedro Valdes	Nolle Pros by District Attorney
1431	State vs R. H. Cumby	Dismissed by District Attorney
1432	State vs Emund Curley	Nolle Pros by District Attorney
1433	State vs G. B. Zimplemond	Nolle Pros by District Attorney
1435	State vs Ross Scott	Nolle Pros by District Attorney
1441	State vs W. P. de Normandie	Dismissed by District Attorney
1442	State vs W. P. de Normandie	Dismissed by District Attorney
1444	State vs W. P. de Normandie	Dismissed by District Attorney

District Court Minutes, Fall Term, November 20th 1865

1445	State vs William Tobin et al	Dismissed by District Attorney
1447	State vs Smart	Dismissed by District Attorney
1448	State vs John E. Campbell	Dismissed by District Attorney
1449	State vs Ben Hines et al	Dismissed by District Attorney
1450	State vs Ben Hines et al	Dismissed by District Attorney
1451	State vs Ben Hines & Fox	Dismissed by District Attorney
1452	State vs Fox & Jones	Dismissed by District Attorney
1453	State vs Fox & Jones	Dismissed by District Attorney
1454	State vs Fox & Jones	Dismissed by District Attorney
1455	State vs Fox & Jones	Dismissed by District Attorney.
1456	State vs Fox & Jones	Dismissed by District Attorney
1457	State vs Fox & Jones	Dismissed by District Attorney
1458	State vs Fox & Jones	Dismissed by District Attorney

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District Court Minutes, Fall Term, November 20th 1865

1459	State vs Fox and Jones	Dismissed by District Attorney
1460	State vs Fox and Jones	Dismissed by District Attorney
1461	State vs Fox and Jones	Dismissed by District Attorney
1462	State vs Fox	Dismissed by District Attorney
1463	State vs Fox	Dismissed by District Attorney
1464	State vs Fox	Dismissed by District Attorney
1465	State vs Fox	Dismissed by District Attorney
1466	State vs Fox	Dismissed by District Attorney
1467	State vs Fox	Dismissed by District Attorney
1468	State vs John Martin	Continued for service
1470	State vs D. D. Young	Continued
1471	State vs Pet Cook	Nolle Pros by District Attorney
1472	State vs James Austin	Nolle Pros by District Attorney

District Court Minutes, Fall Term, November 20th 1865

1474	State vs Fred Kirk	Nolle Pros by District Attorney
1475	State vs Sam Woods	Nolle Pros by District Attorney
1476	State vs Sam Woods	Nolle Pros by District Attorney
1477	State vs William Boyd	Nolle Pros by District Attorney
1478	State vs Lynch	Nolle Pros by District Attorney.
1479	State vs Joseph Jackson	Nolle Pros by District Attorney
1480	State vs John Petell	Nolle Pros by District Attorney
1482	State vs James Ferguson	Dismissed by District Attorney
1483	State vs Wilson	Dismissed by District Attorney
1485	State vs George Lynch	Nolle Pros by District Attorney
1486	State vs Robert Smith	Nolle Pros by District Attorney
1487	State vs Joseph Hudson et al	Nolle Pros by District Attorney.
1488	State vs James M. Sims	Nolle Pros by District Attorney

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District Court Minutes, Fall Term, November 20th 1865

1490	State vs Owen Adkins	Nolle Pros by District Attorney
1491	State vs C. Payne	Dismissed by District Attorney
1492	State vs William McCutcheon	Nolle Pros by District Attorney
1493	State vs R. J. Townes	Dismissed by District Attorney
1494	State vs Mark Poage	Dismissed by District Attorney
1495	State vs Mark Poage	Dismissed by District Attorney
1497	State vs D. Puckett	Nolle Pros by District Attorney
1501	State vs Charles Payne	Dismissed by District Attorney
1502	State vs Beaklines et al	Nolle Pros by District Attorney
1503	State vs John Jones	Nolle Pros by District Attorney
1504	State vs Lewis, a slave	Dismissed by District Attorney
1505	State vs Moses Morris	Nolle Pros by District Attorney
1506	State vs John Jones	Dismissed by District Attorney

District Court Minutes, Fall Term, November 20th 1865

1507	State vs W. Dibrell	Noll Pros by District Attorney
1508	State vs W. Dibrell	Noll Pros by District Attorney
1509	State vs Palus Gonzalez	Noll Pros by District Attorney
1510	State vs T. B. Clifton	Noll Pros by District Attorney
1516	State vs William Eagle	Noll Pros by District Attorney
1518	State vs William Rogers	Noll Pros by District Attorney
1520	State vs William Owens et al	Noll Pros by District Attorney
1523	State vs Harriet Bazard	Noll Pros by District Attorney
1525	State vs William Barnes	Noll Pros by District Attorney.
1527	State vs D. M. Berryman	Noll Pros by District Attorney
1529	State vs Miliam/ Dailey	Noll Pros by District Attorney
1532	State vs James Sims	Noll Pros by District Attorney
1533	State vs Ire Lochanger	Dismissed by District Attorney

District Court Minutes, Fall Term, November 20th 1865

1536	State vs R. H. Clements	Dismissed by District attorney
1537	State vs Wash Tong	Dismissed by District attorney
1538	State vs Wash Tong et al	Dismissed by District attorney
1539	State vs William Patterson et al	Dismissed by District attorney
1540	State vs William H. Roberts et al	Dismissed by District attorney
1541	State vs Thomas Bowles	Dismissed by District attorney
1542	State vs E. Kirk	Dismissed by District attorney
1543	State vs J. Bishop	Dismissed by District attorney
1544	State vs William Thompson	Dismissed by District attorney
1545	State vs William Thompson	Dismissed by District attorney
1546	State vs Ben Thompson	Dismissed by District attorney
1547	State vs Ben Thompson	Dismissed by District attorney
1548	State vs Ben Thompson	Dismissed by District attorney

District Court Minutes, Fall Term, November 20th 1865

1549	State vs Thomas William Ward	Noll Pros by District Attorney
1550	State vs Thomas William Ward	Noll Pros by District Attorney
1551	State vs Thomas William Ward	Noll Pros by District Attorney
1552	State vs Peter, a Mexican	Dismissed by District Attorney
1553	State vs Peter, a Mexican	Dismissed by District Attorney
1554	State vs Peter, a Mexican	Dismissed by District Attorney
1555	State vs Peter, a Mexican	Dismissed by District Attorney
1556	State vs Peter, a Mexican	Dismissed by District Attorney
1557	State vs James Drake	Dismissed by District Attorney
1558	State vs Ed Goodrich	Dismissed by District Attorney
1559	State vs Henry C. Eanes	Dismissed by District Attorney
1560	State vs Thomas Eanes	Dismissed by District Attorney
1561	State vs Thomas Warren	Dismissed by District Attorney

District Court Minutes, Fall Term, November 20th 1865

1562	State vs Mrs Flack	Dismissed by District Attorney
1563	State vs I. T. Pruit et al	Roll Pros by District Attorney
1564	State vs I. T. Pruit et al	Roll Pros by District Attorney
1565	State vs Alfred Robinson	Dismissed by District Attorney
1566	State vs B. H. H. Batts	Roll Pros by District Attorney
111	State vs Andrew Jackson	Continued for service
479	State vs A. M. Morris	Continued for service
576	State vs T. B. Beck	Continued for service
1235	State vs William C. Leggitt	Continued for service
1351	State vs Peter Henry	Continued
1382	State vs Andrew Chamberlain	Continued for service

The venire facias issued on the 18th inst. for twenty four good and lawful men of Travis County, to serve as jurors, returnable on this day the 20th day of November A.D. 1865, being duly served, by the Sheriff of Travis County, and returned into court executed, it is ordered by the court that the names of the persons appearing on said venire facias be called, whereupon the following named and duly summoned persons appeared who were duly sworn and empannelled in accordance with law to wit:

District Court Minutes, Fall Term, November 20th 1865

E Raven, A. M. Cook, Lewis Elgin, James F. Johnson, Charles Babutee, B. O. Blakely, Joseph Harrell, P. A. Meyer, H. Green, J. R. Billingsly, W. P. Hall, A. McFarland, E. D. Matthews, W. D. Barnes, I. Van Cleve, Samuel J Wood, whereupon Court adjourned until Tuesday morning at 9 A. M.

X

Tuesday Nov 21st 1865

Court met pursuant to adjournment present the same as on monday. Whereupon the following proceedings were had to wit:

2301 — Amelia Brechta vs John F Beech — Continued by operation of law

2319 — M H Bowers vs Christian Gorlitz — On this day the (21st of November 1865) this cause being regularly reached, comes the Plaintiff and the Defendant comes not but makes default and thereupon a writ of enquiry is awarded for a jury to assess the damages herein And thereupon comes a jury to wit James F. Johnson and eleven others good and lawful men of Travis County duly sworn who after hearing the evidence and charge of the Court, after deliberation return into the Court their verdict as follows We the jury find for the Plaintiff one hundred and fifty dollors Nov 21st 1865 James F. Johnson foreman

It is therefore ordered by the Court that the said Plaintiff M. H. Bowers do have and recover of the said Christian Gorlitz the sum of one hundred and fifty dollors and all costs of suit for all of which execution may issue when authorized by law

2333 — John G. Allan vs George Flournoy & A. H. Cook — Continued for service on Flournoy

2315 — John Bremond vs Wm Custard — In this case appeared the plaintiff by his attorneys and it appearing to the satisfaction of the Court, that the defendant Wm Custard, who been legally served in this case, and it further appearing to the satisfaction of the Court, that the defendant Wm Custard has failed to appear and file his answer within the time prescribed by law, but wholly made default: It further appearing to the satisfaction of the Court that this suit is brought upon a liquidated demand. It is therefore ordered, adjudged and decreed by the Court that the plaintiff John Bremond, do have and recover of and from the defendant Wm Custard the sum of Six hundred and Sixty dollars for his principal debt and interest up to this date, with interest at twelve per cent from this date until paid together with all the costs of this suit for which execution may issue according to law

District Court Minutes, Fall Term, November 21st 1865

	John Bremond vs Thos F. McKinney	In this case appeared the plaintiff by his attorneys and it appearing to the satisfaction of the Court, that the defendant Thos F. McKinney has been legally served in this case, and it further appearing to the satisfaction of the Court that the defendant Thos F. McKinney has failed to appear, and file his answer within the time prescribed by law. but wholly made default. It further appearing to the satisfaction of the Court that this suit is brought upon a liquidated demand. It is therefore ordered, adjudged and decreed by the Court that the said plaintiff John Bremond do have and recover of and from the defendant Thos F. McKinney, the sum of Six thousand one hundred and ninety 38/100 Dollars, for his principal debt and interest up to this date, with interest at ten per cent from this date until paid, together with all the costs of this suit. for which execution may issue according to law.
2361	Thomas Freeman M. Walton vs E. Kirk	Plaintiff has leave to amend his petition
2364	Lewis Elgin vs Elijah Hanborough	Continued
2368	Lewis Elgin vs Wm H. Blanton	Leave given defendant to amend his answer Continued on defendants affidavit
2377	W. A. Morris vs Andrew Kruger	Continued
2383	Frank Brown vs A. B. McGill	Continued
2385	A. B. McGill vs John M. Cottley	Leave given to defendant to file an amended answer demurrer and exceptions. Continued
2397	Caspar Fink et al vs John L. Bivens of the same.	On motion of Plaintiff by his attorneys, it is ordered that this cause be dismissed from the docket. the defendant having paid all the costs
2402	H. W. Peperman vs Adolph Aseig	Continued on affidavit of defendant

District Court Minutes, Fall Term, November 21st 1865

F. Hahke
2403 vs Continued
E. M. Bacon et al

Amos Morrill
2410 vs Continued for service
Wm. Simpson

A. H. Barnes
2411 vs Continued
Joseph Harrell

Frank Brown
2382 vs On this day (November 21st 1865) this case being regularly reached on the docket, comes the plaintiff by attorney, dismisses his suit as to P. De Cordova and the defendants Wm M. Walton and Josephus M. Steiner come not but make default: and thereupon on motion of the plaintiff a writ of enquiry is awarded and thereupon comes a jury to wit: James F. Johnson and eleven others good and lawful men of Travis County duly sworn who after hearing the evidence and charge of the Court return their verdict as follows viz: "We the jury find for the plaintiff the sum of eleven hundred and fifty one dollars, and the lots described in the petition are the same as those described in the deed, and are liable to the payment of this judgement Nov 21st 1865. Jas F. Johnson foreman"

It is therefore considered by the Court that the said Frank Brown have and recover of the defendants William M. Walton and Josephus M. Steiner the sum of eleven hundred and fifty one dollars: and it is further ordered, adjudged and decreed by the Court that the said land described in plaintiffs petition be held bound for the satisfaction of this judgement and that an order of sale issue requiring the Sheriff of Travis County to sell under the laws and regulations regulating sheriffs sales, the said property which is described as follows: being situated in the City of Austin, Travis County, being lots seven, eight and nine (7. 8. & 9.) in Block six (6) together with the improvements and appurtenances belonging thereto: the proceeds of the sale to be applied to the payment of this judgement, and the residue if any, to be returned to said Wm M Walton, and if the sale do not bring sufficient to pay the judgement, then execution to issue for the remainder. This judgement to bear ten per cent interest, and the order of sale and execution to issue when authorized by law.

J. Mariale Wende
John Wende
2390 vs Plaintiffs This case being regularly reached on the docket, come the plaintiffs and on their motion the sheriff has
Conrad Pfluger Defendant leave to amend his return on the Execution; which being done, and it appearing to the satisfaction of the Court that the defendant Conrad Pfluger had been regularly cited; that he had failed to appear and answer to the plaintiffs' petition, but wholly made default; and it further appearing that the plaintiffs' claim is liquidated and founded on a written instrument now produced and shown to the Court, it is therefore considered by the Court that the plaintiff J. Mariale Wende do have and recover

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of and from the defendant Conrad Pfluger the sum of Four hundred and sixteen dollars and twenty five cents, together with all costs of suit in this behalf laid out and expended, and that this judgement bear interest at the rate of ten per cent per annum from this date, for all which execution may issue when authorized by law.

2401

Lucinda Raymond &c / vs / Martin W. Townsend

On this day comes the parties by their attorneys and announced themselves ready for trial and thereupon the parties waive a jury and submit the case to the Court, &c. it appearing to the Court that the defendant is indebted to the said Lucinda Raymond the sum of Five hundred and thirty two 49/100 Dollars, the amount of the principal and interest on said note after deducting all credits. It is therefore considered by the Court that the said Lucinda Raymond have and recover of the said Martin W. Townsend the sum of Five hundred and thirty two and 49/100 Dollars and all costs of suit for all of which execution may issue when authorized by law. And that this judgment bear interest per annum ten per cent

The motion of defendant to dismiss and the general and special demurrers of defendant were submitted to the Court and after hearing the argument of counsel thereon and being advised thereof, the same are hereby overruled.

This action of the Court is had prior to hearing the evidence and trial of Cause upon the merits

And Court adjourned until Wednesday morning at 9 O. Clock A.M.

District Court Minutes, Full Term, Nov 22d 1865

Wednesday Nov 22d 1865

Court met pursuant to adjournment present the same as on yesterday Whereupon the following proceedings were had to wit:

2337

Amos Morrell vs A. H. Cook

In this cause appeared the parties Plaintiff and Defendant by his attorney; and the Defendant submitted to the Court the motion to quash the writ and the Service made by the Sheriff in this cause, and the Defendants general and special exceptions to the Plaintiffs petition. After hearing the motion, and exceptions and the argument of Counsel. It is ordered adjudged and decreed by the Court, that the motion to quash the writ and Service, and the general and Special exceptions be and the same are hereby overruled, to all of which judgements and rulings of the Court, the Defendant excepted and asked that they be entered in this judgement and made a part of the finall record in the cause which is done accordingly

It is further ordered that this cause be continued upon the affidavit of the Defendant.

2361

Thomas Freeman & M. Walton vs E. Kirk

In this case appeared the parties Plaintiff and Defendant by his attorney, and the Defendant submitted to the Court his exceptions to the jurisdiction of the Court filed the 17th of November 1865 and his exceptions to the Stamps upon the original petition which exception is set out in the answer filed the 20th of November 1865 the same being fully considered by the Court. It is ordered adjudged and decreed that said exceptions be and the same are hereby overruled. And the parties announced themselves ready for trial, thereupon came a jury of twelve good and lawful men of Travis County, to wit, Jas F Johnson and eleven others who being duly tried empannelled and sworn according to law after hearing the evidence introduced by the Plaintiffs and Defendant the arguments of Counsel and instructions 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 the sum of Seven hundred and ninety nine dollars and fifty Cents. Jas F Johnson foreman. It is therefore ordered adjudged and decreed by the Court that the Plaintiffs Thos Freeman and M. Walton under the firm name and Style of Thos Freeman & Co do have and recover of and from the Defendant E. Kirk the sum of Seven hundred and ninety nine 50/100 dollars for their principal debt and interest up to this date and ten per cent interest thereon from this date until paid together with all costs of this suit for which execution may issue: and the Plaintiffs here enter a remittitur of one dollar and twenty Cents of said verdict

District Court Minutes, Fall Term, November 22nd 1865

6 2316 John Bremond for the use of &c vs John Mc Guire — In this case appeared the plaintiff and defendant by their attorneys and the defendant submitted to the Court his exceptions to the jurisdiction of the Court, and his general and special exceptions to the plaintiffs petition, the same being considered. It is ordered adjudged and decreed by the Court that each and all of said exceptions be and the same are hereby overruled, 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: James F. Johnson 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 being charged by the Court, retired to consider of their verdict, and returned to the Court the following verdict to wit: We the jury find for the plaintiff the sum of eighteen and 50/100 Dollars on the note bearing eight per cent interest, and Two hundred and twenty seven 30/100 Dollars on the note bearing ten per cent interest James F. Johnson Foreman. It is therefore ordered adjudged and decreed by the Court, that the plaintiff John Bremond do have and recover of and from the defendant John Mc Guire the sum of two hundred and forty five 80/100 Dollars for his principal debt and interest up to date, and eight per cent interest on eighteen 50/100 Dollars, from this date until paid, and ten per cent interest on two hundred and twenty seven 30/100 Dollars from this date until paid and all costs of this suit for which execution may issue according to law.

And the plaintiffs here enter a remittitur of one dollar and fifteen cents on that part of the said verdict bearing eight per cent, and a remittitur of fifteen cents on that part of the said verdict bearing ten per cent.

2332 Ransom & Co vs I. Harrell — Leave given both parties to amend their pleading, and continued as on affidavit of defendant.

2386 R. M. Johnson vs B. J. Smith — Judgement by default set aside and leave given sheriff to amend his return.

2402 N. W. Topperman vs Adolph Arzig — Leave given defendant to amend his answer.

2412 O. M. Smith vs F. M. Smith — Motion to quash attachment sustained, attachment quashed and continued for service.

2413 W. B. Clements vs F. M. Smith — Motion to quash attachment sustained, attachment quashed and continued for service.

District Court Minutes, Fall Term, November 22nd 1865

And now at this day appeared in open Court the Grand
1577 Jury of Travis County duly elected tried empannelled and Sworn
and Charged for Court during the present term of the Court
and through their foreman Abner P Blocker, presented to
the Court the following bills of Indictment to wit:

1577 The State of Texas
vs
P. Y. Pruett Et al. } Theft

1578 State
vs
Duke a Freedman } Theft

State
1579 vs
Antonio Tepkin } Illegal Marking and Branding

State
1580 vs
Jerry a Freedman } Horse Stealing

State
1581 vs
Jerry a Freedman } Theft

And thereupon the Grand Jury, having suggested to the
Court that there is other business pending before them
they were ordered to retire upon a discharge of the same

William Ogle appearing in open Court and taking the am-
nesty Oath was qualified as a practicing Attorney and Counsellor
at law in the Courts of the State of Texas in accordance with
his former license

S. M. Swenson
vs
2392 Thos H McKinney } Judgement by Default Set aside
amend his return } and leave given Sheriff to
and Continued

S. M. Swenson
2395 vs
Robert Creighton } Judgement by default set
aside and leave given Sheriff
to amend his return & Continued

And Court adjourned until Thursday morn-
ing at 9 Oclock A. M.

District Court Minutes, Fall Term, Nov 23d 1865

Court opened pursuant to adjournment Present the same as on yesterday - Whereupon the following proceedings were had by said Court, to wit:

2155

John H Browning vs Barthelf Manufacturing Co. } This day comes the Plaintiff in Court and the Defendants being cited come not, but made default, and it appearing to the satisfaction of the Court that the defendants are not residents of this State, and that they have been cited by publication of the citation in a newspaper published in the County of Travis, called the Southern Intelligence for four successive weeks, prior to the 31st of May 1861. (which Citation Contained a brief statement of the Cause of action) and it further appearing to the satisfaction of the Court that the defendants are an incorporated Company, and that they are indebted to the Plaintiff in the sum of Seven thousand Seven hundred and twelve dollars and fifty three cents - and interest upon the same from and since the 5th day of February 1861 at the rate of Seven per cent - it is therefore considered by the Court that the Plaintiff John H Browning have and recover of the Defendants the Barthelf Manufacturing Company the said Sum of Seven thousand Seven hundred and twelve dollars and eighty three cents with interest thereon at the rate of Seven per Cent from the 5th day of February 1861 amounting to the sum of two thousand one hundred and fifty nine dollars and thirty six cents making in all the sum of nine thousand eight hundred and Seventy two dollars and nineteen cents - together with all costs herein expended And it further appearing to the Court that Jesse Tubb a citizen of Leon County has been legally garnisheed herein, and by his answer has acknowledged himself possessed of thirteen Sewing machines belonging to the Defendant, of the value of Sixty five dollars each, all of which belong to the Defendant Subject to the sum of Sixty five dollars due thereon - it is considered that the Plaintiff have and recover of said Jesse Tubb the said thirteen Sewing Machines upon the Plaintiff paying herein the sum of Sixty five dollars -

And it further appearing that Pickett & Bro of the County of Ellis have in their possession two Sewing Machines of the value of fifty dollars each the property of Defendants Subject to a charge of twenty five dollars all of which appears by the answer of said Pickett & Brother garnisheed in this cause it is therefore considered that the said Plaintiff have and recover of said Pickett & Bro the said two Sewing Machines or the assessed value of the same upon the payment to them of twenty five dollars And it further appearing from the answer of W. D. Eastland of the County of Bell a garnishee herein that he has two Sewing machines belonging to the Defendants Subject to a charge of thirty five dollars it is considered that Plaintiff have and recover said Machines upon the payment of said charges It is further considered as soon as the laws will permit that said Machines be sold by the Sheriff of the

District Court Minutes, Fall Term, Nov 23d 1865

Counties in which the same are situated and the proceeds of the Sales be applied to the costs thereof and the payments due the parties in whose possession the same now are according to their answers and the ballance to the Plaintiff as a pro tanto discharge of the debt due by Defendants to Plaintiff

And it further appearing to the Satisfaction of the Court that P.H.C. Robinson of the County of Travis has been duly served as a garnishee in this cause and has failed and refused to answer, and the said Robinson being called came not but wholly makes default it is therefore considered that the Plaintiff have and recover of the Garnishee Robinson the said sum adjudged herein in favor of Plaintiff against the Barthelf Manufacturing Company, viz the Sum of nine thousand eight hundred and seventy two dollars and nineteen cents And it also appearing that certain Garnishees residing out of this County have not announced herein it is ordered that the Cause be continued as to them for their answers, at the next Term of this Court.

2230 Alice Smith vs Robert Smith — Comes the Parties to this cause on this the 23d day of November 1865 and announce themselves ready for trial whereupon came a jury of good and lawful men of Travis County to wit; W.G. Maynard foreman and eleven others, who after hearing the allegations of the parties, the evidence, arguments of Counsel and the Charges of the Court retired to Consider of their Verdict and afterwards returned into Court the following Verdict to wit; We the Jury find for the Plaintiff and that the allegations in her petition are true It is therefore ordered adjudged and decreed by the Court that the bonds of Matrimony heretofore existing between the Plaintiff Alice Smith and the Defendant Robert Smith be and the same are hereby dissolved and that the Defendant pay all Costs of this Suit, for which execution may issue when authorized by law

2358 H.W. Chandler vs A.D. Buchanan — Continued on affidavit of Defendant

2387 R McJohnson vs B.F. Smith — Continued

2390 Wendy & Wife vs Conrad Pfluger — And now comes the Plaintiff by Attorney and moves the Court to set aside the Judgement rendered in this Cause on a former day of this Court it is thereupon ordered by the Court that the judgment by default rendered in this Cause on the 21st day of November 1865 and recorded on page 187

District Court Minutes, Fall Term, Nov 23 1865

of the minutes be and the same is hereby set aside and held for nought and that this Cause stand Continued on till the next Term of this Court

2361	Thomas Freeman & al vs E Kirk	On this day comes the parties by their attorneys and argued the Motion for a New Treal filed in this Cause and the Court on hearing the argument over ruled the motion and thereupon Defendant give notice of appeal in open Court.
2316	John Brenond vs John McGuire	Now on this day Come the parties to the above Cause by their Attorneys and the Motion of Defendant for a New Trial Coming on to be heard It is therefore ordered by the Court that a New Trial be granted.

And now on this day appeared in open Court the Grand Jury of Travis County duly elected tried empannieled and Sworn and Charged for and during the present term of the Court, and through their foreman Abner D Blocker presented to the Court the following bills of Indictments to wit:

1582	State of Texas vs Wm Ake & Charles Ake	Theft
1583	State vs Lynch	Theft of a Steer
1584	State vs Watson Dibrell	Theft of a Pistol
1585	State vs Edward Peyton & al	Theft of forty six Sacks of Coffee
1586	State vs Benja H H Butts	Assault with intent to Kill & Murder
1587	State vs Watson Debrill	Theft of a Watch
1588	State vs Milam Duty	Assault with intent to Kill & Murder

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And thereupon the Grand Jury having Suggested to the Court that there is other business pending before them, they were ordered to retire upon discharge of the same.

Dewitt C Booth appearing in open Court and taking the Amnesty Oath was qualified as a practicing Attorney and Counsellor at Law in the Courts of the State of Texas in accordance with his former License

And Court adjourned until to morrow morning at 9 Oclock

X

Friday Nov. 24th 1865

Court Convened pursuant to adjournment. Present the same as on yesterday, whereupon the following proceedings were had by said Court, to wit;

√ 2353

P. S. Williams vs Phillip Bob Et'als } On this Cause appeared the Plaintiff by his Attorney and dismisses this this suit against the defendant Sam Grumbles. It is therefore ordered, adjudged, and decreed by the Court that this suit be and the same is hereby dismised as against the defendant Sam Grumbles and that the Plaintiff take nothing by this his suit against the defendant Sam Grumbles, and that he go hence without day. It is further ordered, adjudged, and decreed by the Court that the defendant Sam Grumbles, do have and recover of and from the Plaintiff all the costs of this suit laid out and expended for or on account of the defendant Sam Grumbles for which execution may issue according to law,

2353.

P S Williams vs Phillip Bob Et'als } On this Cause appeared the Plaintiff by his attorney, upon Motion the Plaintiff is hereby granted leave to file an amended petition and to make the following named parties defendants in this Suit to wit: James Smith Wesley Pearce James Stewart, Henry Denman Gould Milenton and the Clerk is hereby ordered to issue Citation and Copy of original and amended petition to each and all of the above named parties as provided by law and this Case is Continued until the next term of the Court

2381

Thomas. F. McKinney vs W H Simons Et'als } On this case appeared the Plaintiff by his Attorneys and dismisses the Suit against C. A. Wooldridge J L Nichols Das V Hutchins George W Morris Charles Bonkie Wm M Wilson James Hickey, G. Wash Bonner Columbus Bonner - Houston and William H Sharp It is therefore ordered adjudged and decreed by the Court that the

District Court Minutes, Fall Term, Nov 24th 1865

Plaintiffs suits to each and all the above named Defendants be and the same is hereby dismissed and that the Plaintiff take nothing by this his suit as against the above named Defendants and that the above named Defendants go hence without day. It is further ordered adjudged and decreed by the Court that the above named Defendants do have and recover of and from the Plaintiff all the costs of this suit paid out and expended for or on account of the above named Defendants for which execution may issue according to law

2381 Thos F McKinney vs W H Lemons Etal } In this case appeared the Plaintiff by his attorney and upon motion the Plaintiff has leave to file an amended Petition and make the following named parties defendants in this suit to wit: James McRagsdale a resident citizen of the County of Lavacca and State of Texas N C Kelly, Calsper Stenssey, P H Keller Thevdore Stevzey Thomas Owens James Woldrige resident citizens of the County of Graves and State of Texas and Perry Shelton a resident citizen of the County of Hays and State of Texas and it is further ordered by the Court that the Clerk issue process according to law with Copies of the oregenial and amended petition to the above named defendants and also alias process to the following named defendants to wit: W H Lemons. Albert Weir Geo H Oman Albert S Roberts, Williams Davis - Wadloe Charles Clifton James Trimble C H Lee F A Bott Joseph Browne - Marten - Martin P H Pfluger Desmond Hopkins James Redout George T Cleveland and David Trimble and ordered that this cause be continued

And now on this appeared in open Court the Grand Jury of Travis County duly elected tried empannelled and Sworn and charged for and during the present term of the Court and through their foreman Abner P Blocker presented to the Court the following bills of Indictment.

1589 The State of Texas vs Thos Wm Ward } For Carrying away timber from land not his own without the Consent of the owner

1590 State vs D W Bonner Etals } Murder

1591 State vs Ben Harries Etal } Assault

1592 State vs Wm Boyd } Hog Stealing,

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1593 The State of Texas vs James Sims } Assault with intent to kill and Murder.

1594 State vs Josiah Hudson Etal } Hog Stealing

1595 State vs H. B. Clifton } Horse Stealling

1596 State vs Joseph Jackson } Theft

And thereupon the Grand Jury having Suggested to the Court that their is other business pending before them, they were ordered to retire upon a discharg of the same.

1582 The State of Texas vs Wm R. Ake et al } And now at this term appeared in open Court W. R. Ake as principal and James Thompson and F. G. Ake as his securities, and acknowledged themselves jointly and severally to owe and be endebted unto the State of Texas, in the penal sum of Five hundred dollars, to be levied upon their goods, and chattels, Lands an tenements, but to be void if the said Wm R. Ake make his personal appearance at the next term of the District Court of Travis County in the City of Austin, there to remain from day to day of said term, and from term to term thereafter, to answer an indictment preferred against him by the Grand Jurors of Travis County, at the Fall Term of the District Court of said County A. D. 1865. in which indictment the said Wm R. Ake is charged with theft, and that the said Wm R. Ake does not depart said Court without the leave of the same.

1582 The State of Texas vs Chas J Ake et al } And now at this term appeared in open Court Chas J. Ake as principal and James Thompson and F. G. Ake as his securities, and acknowledged themselves jointly and severally to owe and be endebted unto the State of Texas in the penal sum of Five hundred dollars, to be levied upon their goods and chattels, Lands and tenements, but to be void if the said Chas J Ake, make his personal appearance at the next term of the District Court of Travis County in the City of Austin, there to remain from day to day of said term, and from term to term thereafter, to answer an indictment preferred against him by the Grand Jurors of Travis County, at the Fall Term of the District Court of said County A. D. 1865, in which indictment the said Chas J Ake is charged with theft, and that the said Chas J. Ake does not depart said Court without the leave of the same.

Whereupon the Court adjourned until to morrow morning at nine o'clock A. M.

District Court Minutes, Fall Term, November 25th 1865

Court convened pursuant to adjournment. Present the same as on yesterday, whereupon the following proceedings were had; by said Court to wit:

John H. Browning vs Barthol Mangtring & Co) In this cause appeared the garnishee J. H. Robinson by his attorney and submitted to the Court, his motion to set aside the judgement rendered in the above stated cause, after hearing the motion, the evidence in the cause, and the argument of the counsel, it is ordered adjudged and decreed by the Court, that the judgement rendered in the above stated cause at the present term of this Court, be and the same is hereby annulled, set aside and held for naught.

2155

The State of Texas vs W. B. Covington et al) Comes now the District Attorney and dismisses his suit as to M. H. Bowers one of the defendants it is therefore ordered by the Court, that the State of Texas take nothing by her suit as to defendant M. H. Bowers, that the defendant go hence fully discharged.

1937

Caroline Wahrenberger Administratrix of the Estate of John Wahrenberger Dec'd vs Johanna M. Wenda, Administratrix of Estate of John U. Wuthrich) Come now the parties in this cause by attorneys, and announce themselves ready for trial, and the parties waive a jury and submit the said cause to the Court, without the intervention of a jury, and thereupon it appearing to the satisfaction of the Court, after hearing the allegations of the parties, the evidence, and arguments of counsel, that the allegations in plaintiffs petition are true, but that the rent of said land described, in plaintiffs petition and the appurtenances during the time defendant had the same in possession was worth only the sum of One hundred dollars over and above the interest on the said sum of two hundred dollars advanced by the said John U Wuthrich to the said John Wahrenberger, it is therefore ordered adjudged and decreed by the Court that the title bond executed by the said John Wahrenberger to the said John U. Wuthrich on the 15th day of July 1862, and described in plaintiffs petition, be and the same hereby is cancelled and for ever held for naught, and that all right, title interest and claim in and to said tract of land described as follows to wit: situated in Travis County State of Texas, on Bear Creek part of the Richard Holbey grant and bounded as follows to wit: Beginning on the South East corner of Fores (now John Holfords) land, thence with Fores line 1780 varas to D. Smiths line, thence South 700 varas, to a stake and corner, thence East 1780 varas to a stake on the League line; thence North 700 varas, to the place of beginning, containing two hundred acres of land, be and the same is hereby divested out of the Estate of John U. Wuthrich and vested in the Estate of John Wahrenberger deceased, and that this decree operate as a muniment of title, it is further ordered, adjudged, and decreed by the Court, that the said claim of three hundred dollars now held by the plaintiff, against the said Estate of John U. Wuthrich deceased, be and the same is hereby cancelled and for ever held for naught, and that the defendant do have and recover of and from the plaintiff the sum of One hundred dollars, that the costs of this suit be equally divided by the parties for all of which execution may issue when authorized by law.

2414

District Court Minutes, Fall Term, November 25th 1865

1541 The State of Texas vs William Hollander et als — Continued by consent as to Hollander.

2294 The State of Texas vs Alice Smith — Comes now the District Attorney and on his motion, the judgement nisi heretofore rendered in this cause against the defendant Alice Smith be set aside and said cause dismissed. Wherefore it is considered by the Court that the State of Texas take nothing by this suit, and that the defendant Alice Smith go hence without day.

2309 W. H. Westfall vs Geo M. Flournoy and F. W. Chandler — Comes the plaintiff W. H. Westfall on this the 25th day of November 1865, and on his motion the sheriff has leave to amend his return.

2310 Frank Brown vs John D. Ford et als — Comes the plaintiff Frank Brown on this the 25th day of November 1865, and on his motion the sheriff has leave to amend his return.

2311 M. K. Ryan vs Geo D. Glasscock — Comes the plaintiff M. K. Ryan on this the 25th day of November 1865, and on his motion the sheriff has leave to amend his return.

2313 Pauline Taylor vs James Taylor — Comes the plaintiff Pauline Taylor on this the 25th day of November 1865, and on her motion the sheriff has leave to amend his return.

And now comes the Grand Jury of Travis County in open Court, duly elected, tried empannelled and sworn and charged for and during the present term of the Court, and through their foreman Abner P. Blocker presented to the Court the following bills of indictment to wit:

1597 State of Texas vs Goodman — Murder

1598 State of Texas vs Cyrus Puckett — Theft of a Beef Steer

1599 State vs Peter, a Mexican — For destroying timber upon land not his own without the consent of the owner.

1600 State vs Rafe Grumbles — Horse Stealing

District Court Minutes, Fall Term, November 25th 1865

1601 State vs Henry Coleman. Unlawfully moving and selling mortgaged property.

1602 State vs B. O. Stavely. Horse Stealing

1603 State vs Thomas Warren. Murder

1604 State vs Pebron G. Kneeder et al. Aiding and abetting in an assault with intent to kill and murder.

1605 State vs John Henry Brown et als. Murder.

Report of Jury Service at Fall Term A.D. 1865.

	Grand Jurors	Names	Days	Amount
	1	A. P. Blocker	8	$12.00
	2	M. K. Ryan	8	12.00
	3	G. H. Banks	8	12.00
	4	David Upright	8	12.00
	5	M. C. McLaren	8	12.00
	6	James W. Smith	8	12.00
	7	W. B. Nichols	8	12.00
	8	Wayman F. Wells	8	12.00
	9	Charles H. Fox	8	12.00
	10	E. H. Darter	8	12.00
	11	James H. Shaw	8	12.00
	12	John G. Gordon	8	12.00
	13	F. W. Rutor	8	12.00
	14	T. W. Nolen	8	12.00
	15	L. Hanton	8	12.00
			120	180.00
Petit Jury	1	T. M. Warren	4	6.00
	2	Joseph Blunn	1	1.50
	3	J. M. Bennett	4	6.00
	4	J. P. Cope	4	6.00
	5	T. M. Bastick	5	7.50
	6	J. W. Hannig	4	6.00
	7	R. W. Rylander	4	6.00
	8	H. Mosson	4	6.00
	9	G. W. Davis	4	6.00
	10	Lewis Elgin	8	12.00
	11	A. R. Rennick	4	6.00
	12	J. T. Price	3	4.50
	13	C. Raven	4	6.00
	14	A. H. Cook	3	4.50
	15	Jas F. Johnson	3.	4.50
	16	Samuel J Wood	4.	6.00
	17	C. C. Matthews	3	4.50
	18	Joseph Mansell	4	6.00
	19	P. A. Meyer	3	4.50
	20	H. Green	4	6.00
	21	M. P. Hall	4	6.00

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	Names	Days	Amounts
22	A. McFarland	4	$6.00
23	F. Hanke	1	1.50
24	William Gibson	1	1.50
25	W. H. Maynard	1	1.50
26	T. H. Tumey	1	1.50
	Total	89	$133.50

State of Texas } To the District Court of Travis County,
County of Travis } The undersigned, Clerk of said Court, here tenders his report of the list of causes tried at the Fall Term 1865, in which Jury Fees are due and receivable, to wit:

No	Style of causes	
2330	Alice Smith vs Robert Smith	$3.00
2318	G. L. Crum vs M. W. Townsend	$3.00
2319	M. H. Bowers vs C. Gorlitz	$3.00
2329	M. K. Ryan vs I. P. Jones	$3.00
2330	M. K. Ryan vs Jos Barkhart	$3.00
2335	H. Groom vs M. Grooms	$3.00
2382	Frank Brown vs W. M. Walton et als	$3.00
2308	A. T. Luckett vs I. P. Hector	$3.00
2328	A. T. Luckett vs A. P. Blocker	$3.00
2387	R. M. Johnson vs Joseph Lee	$3.00
2389	R. M. Riley vs Blackwell and Chandler	$3.00
2401	L. Raymond et al vs M. W. Townsend	$3.00
2414	Caroline Wahrenberger adx vs I. M. Wenda adx	$3.00
2361	Thos Freeman et al vs E. Kirk	$3.00
2351	John Bremond vs T. F. McKinney	$3.00
2315	John Bremond vs Wm Custard	$3.00
2365	Thos Freeman et al vs T. W. Rolen	$3.00
2363	John Ackuntet al vs R. M. Johnson	$3.00
2362	John Bremond vs A. H. Cook	$3.00
2359	Charles Herman vs G. W. Powell et al	$3.00
2364	Thos Freeman et al vs Matthew Hopkins	$3.00
2150	I. B. Owings vs T. C. I. Beck	$3.00
2170	F. T. Suffan vs W. I. Oldham	$3.00
2323	R. M. Castleman vs Cook and Morrill	$3.00
	Total	$72.00
	Deduct 2½ per cent commission	1.80
		$70.20

Total jury service 209 days at $1.50 per day, $313.50
Pro rata 33 cents per day making $68.97

Approved Nov 25th 1865

J. B. McFarland
Judge

F. H. Copland C. D. C.

And Court adjourned until Monday Morning at 10 Oclock A.M.

Monday Nov 27th 1865

Court met pursuant to adjournment at 10 Oclock A.M.
Whereupon the following proceeding were had to wit

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1567	State of Texas vs Joseph Henry	Bail fixed at $1000. and continued for service
1568	State vs Joseph Henry	Bail fixed at $1000. and continued for service
1569	State vs James K Malone	Bail fixed at $1000. and continued for service
1570	State vs Sams K Malone	Bail fixed at $1000. and continued for service
1571	State vs J. H. Lightfoot Et al	Bail fixed at $500. each and continued except as to Hollander
1572	State vs Dick a Freedman	Bail fixed at $200. and continued for service.
1573	State vs Dick a Freedman	Bail fixed at $200. and continued for service
1574	State vs Dick a Freedman	Bail fixed at $200. and continued for service.
1575	State vs Upm Brown	Bail fixed at $1000. and continued for service.
1576	State vs Henry Earl	Bail fixed at $1000. and continued for service
1577	State vs J. J. Pruett Et als	Bail fixed at $500. each and continued for service.
1578	State vs Dick a Freedman	Bail fixed at $200. and continued for service.
1579	State vs Antonio Nepsun	Bail fixed at $500. and continued for service.

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1580	State vs Perry a Freedman	Bail fixed at $200 and continued for service
1581	State vs Pirin a Freedman	Bail fixed at $200 and continued for service
1583	State vs Lynch	Bail fixed at $500. and continued for service.
1584	State vs Watson Dibrell	Bail fixed at $500. and continued for service.
1585	State vs Edward Payton Etals	Bail fixed at $500. each and continued for service
1587	State vs Watson Debrill	Bail fixed at $500. and continued for service.
1589	State vs Thos Wm Ward	Continued for service
1591	State vs Ben Hines Etal	Continued for service. Capias awarded to Williamson Co
1592	State vs Wm Boyd	Bail fixed at $500 and continued for service
1594	State vs Josiah Hudson Etal	Bail fixed at $500. each and continued for service. Capias awarded to Fayette Co
1595	State vs F B Clifton	Bail fixed at $1000. and continued for service
1596	State vs Joseph Jackson	Bail fixed at $500. and continued for service
1598	State vs Cyrus Puckett	Bail fixed at $500, and continued for service

District Court Minutes, Fall Term, Nov 27th 1865

1599	State vs Peter a Mexican	Continued for service
1600	State vs Rafe Grumbles Etals	Bail fixed at $1000. each. and continued for service.
1601	State vs Henry Coleman	Bail fixed at $500. and continued for service. Capias awarded to Burnett County=
1602	State vs B C Stavely	Bail fixed at $1000. and continued for service.
1604	State vs Seaborn G Sneed Etals	Bail fixed at $1000. each. and continued for service.
1593	State vs James Sims	Bail fixed at $500 and continued for service
1588	State vs Milam Duty	Bail fixed at $1000. and continued for service
1469	State vs Lee a Slave	Bail fixed at $500"" and Continued
2401	Lucinda Raymond vs M. W Townsend	Comes now the Plaintiff in this cause on this the 27th day of November 1865 and asks the Court to set aside the judgement rendered herein on the 21st day of November 1865 which motion being resisted by the Defendant the same is overruled, and the said judgement ordered to stand as rendered
2290	N. G. Shelly vs Thos Wm Ward	On this day the 27th day of November 1865 came the Defendant by attorney and moves the Court to declare void the injunction from the date of restoration of the United States authorities. It being considered by the Court said motion is overruled
2156	Henry Steufsy vs Augustis Schwartz	And now on this day comes the Parties by attorneys and it appearing to the Court that the case has been settled, it is on motion of Plaintiffs attorney dismissed at the cost of the Plaintiff. Thereupon it is considered that the Defendant recover of the Plaintiff all his costs in and about this suit expended.

District Court Minutes, Fall Term, Nov 27th 1865

V 2165 Henry Steussy vs Augustus Schwartz Plaintiffs attorney } And now on this day comes the Parties by attornies and it appearing to the Court that the case has been Settled, it is on motion of dismissed at the cost of Plaintiff

Thereupon it is considered that the Defendant recover of the Plaintiff all his costs in and about this suit expended

1586 State of Texas vs B. H. H. Butts } Continued for service

State of Texas

1590 vs } Continued for service

J. W. Bonner et als

State of Texas

1597 vs } Continued for service

Goodman } Capias awarded to Bastrop County

State of Texas

1603 vs } Continued for service.

Thomas Warren

Whereupon Court adjourned until 10 o'clock to morrow

to morning

Austin Tuesday Nov 28th 1865

Court met pursuant to adjournment Whereupon the following proceedings were had to wit:

(1469 The State of Texas vs Lee a Slave } And now at this term of the Court came the District Attorney and makes application for attachment to be issued to Williamson to witnesses to wit. James G Harrell Lydia — Robertson John Snyder and John C Black and it is therefore ordered by the Court, that the District Clerk issue said attachments, to be returnable on the 1st day of the Spring Term of the District Court of Travis County A.D. 1866.

Susan L Ward vs Thoms Wm Ward }

1958 On this day comes the parties to the above entitled cause by their Attorneys and the Defendants motion to set aside all orders and decrees made between Feb 1861 and June 1865 coming on to be heard. It is considered by the Court, that said motion be overruled.

And Court adjourned until to morrow morning at 9 O'clock A.M.

District Court Minutes, Fall Term, Nov 29th 1865

Austin Wednesday Nov 29 1865

Court opened pursuant to adjournment and there being no business before the Court it stands adjourned until 9 Oclock Monday Morning the 4th day of December 1865

Monday Dec 4th 1865

Court met pursuant to adjournment Whereupon the following proceedings were had by said Court to wit

The State of Texas vs Goodmon } And now at this term of Court came the District Attorney and makes application for attachments to be issued to Hays Co for the following Witnesses, to Wit: Thomas C. Sneed and Newton Sneed, and it is therefore ordered by the Court that the District Clerk ispue said attachments - returnable instanter

And Court adjourned till tomorrow Morning at 9 A.M.

Tuesday Dec 5th 1865.

Court met pursuant to adjournment whereupon the following proceedings were had its wit.

1958 Susan L. Ward Vs Thomas Wm Ward.

And now on this day came the parties by their Attorneys, and the Defendant by the leave of the Court, filed an amended answer, to which the plaintiff filed a motion, Demurer and replication, and after argument the Demurer was overruled and by leave of the Court the plaintiff filed a Replication by way of amendment.

And by consent of parties the suit of Thomas Wm Ward Vs Susan L. Ward in this Court being No 2262 was consolidated with this suit. And the Defendant moved to Consolidate No 2290. N. G Shelby Vs Thomas William Ward with this suit, which motion was opposed by said Shelby - and the Court after argument granted the motion and the Case was Continued — as on affidavit of plaintiff —

Jury Service - Fall Term 1865.

Petty Jury

1	F. Jordan	2	days -	per diem & Mileage	$ 4.08
2	L. C. Raney	2	"	" " " "	4.44
3	L M Maxwell	2	"	" " " "	4.08
4	L L. Musgrove	2	"	" "	3.00
5	R. M. Johnson	2	"		3.00
6	L. G. Mathews	2	"		3.00
7	Joseph Bonhart	2	"	per diem & Mileage	4.44
8	B. Payne	2	"	" " "	3.50
9	B. Clemments	2	"	" "	3.75
10	Thomas Vann	2	"	" " " "	3.60

District Court Minutes, Fall Term, Decem, 6th 1865.

11	Yancey Cain	2 days	per diem & Mileage	$ 4.44
12	J H. Mathews	2 "	" " "	3.50
		24 "		$ 44.83

The Court adjourned till Wednesday 10 A.M.

Court met pursuant to Adjournment whereupon the following proceedings were had.

V 1958 Susan L. Ward Vs Thomas William Ward.
Motion to Enforce Alimony continued until the Next Term of this Court

2290. N. G. Shelly Vs Thomas Wm Ward
V Motion to dissolve injunction Continued until the next Term of this Court

The within and foregoing minutes of the present term of the District Court within and for the County of Travis and State of Texas having been read in open Court as the Statute requires are hereby approved and it is ordered that this Court do now adjourn and that it Stand adjourned until the next regular term in course.

J. P. H. Garland
Judge 2nd Judicial District
of Texas

District Court Minutes, ... Term, ... 186

The State of Texas }
County of Travis } On this 3d day of April A.D. 1866, we Frank Brown, Clerk of the District Court of said County and Elbridge Perry, Clerk of the County Court of said County in the presence of Leander Brown. Esq. a Justice of the Peace for said County, have proceeded as required by Law, at the Clerk's Office of said County, to draw the names of twenty four persons duly qualified, to attend at the next Term of the District Court of said County to serve as Jurors: when the following named persons were drawn, to wit:

1. L. W. Collins	9. J. M. Tibaut	17. Jas. A. Flack
2 D. Riley	10. E. H. Darter	18. J. B. Rogers
3. M. Goldstein	11. C. C. Browning	19. Albert Brown
4. J. W. England	12. R. L. Ferguson	20. W. N. Hardeman
5. John Holland	13. A. Eilers	21. A. Biberstein
6. S. B. Summers	14. J. P. Cope	22. Thos. Freeman
7. J. D. Glapcock	15. Jas. K. Robinson	23. D. Upright
8. Jas. H. Shaw	16. J. C. Pierce	24. Wm. Bozeth

In witness whereof we hereto subscribe our names this 3d day of April A.D. 1866.

Frank Brown C.T.D.C.
by G. W. L. Browne. D.C.
Elbridge Perry
Clerk County Court Travis County
Leander Brown
Justice Peace Travis County

District Court Minutes, Spring Term, A. D. 1866

The State of Texas } Be it remembered, that on the fourteenth day of
County of Travis } May Anno Domini One thousand eight hundred
and sixty six (being the time appointed by Law) at the Court House of
Travis County, a District Court for the said County of Travis was opened
according to Law. The Honorable J. B. McFarland, Judge of the 2d
Judicial District of the State of Texas, presiding; Present Frank Brown
Clerk of said Court, and T. C. Collins, Sheriff of said County and A. H.
Longley, Esq. District Attorney; —— When the following proceedings
were had, to wit:

The Sheriff returned into Court the Venire issued to him, com-
manding him to summon the Grand Jurors selected by the County
Court to serve as such at this term, duly executed: and the persons sum-
moned being called and all appearing, and being examined on oath
as to their qualifications as Grand Jurors, the following were found
duly qualified, to wit: C. F. Millett, L. B. Collins, Benjamin Chote, F.
Hancke & James P. McKinney; and a number less than fifteen of persons
legally qualified to serve as Grand Jurors being found in attendance, the
Sheriff was ordered to summon a sufficient number, to wit, ten, to com-
plete the Grand Jury, & summoned J. B. Rogers, W. R. Hardeman, John
Holland, S. B. Summers, J. C. Pierce, James A. Flack, A. Bibenstein,
William Bozeth, S. M. Wright and Addison Smith, who being in
like manner examined on oath and found duly qualified, the follow-
ing named persons were sworn a Grand Jury of Inquest for the body
of this County, to wit: James P. McKinney, Foreman, C. F. Millett
L. B. Collins, Benj. Chote, F. Hancke, J. B. Rogers, W. R. Hardeman,
John Holland, S. B. Summers, J. C. Pierce, James A. Flack, A. Bibenstein
William Bozeth, S. M. Wright and Addison Smith; and having
received their charge from the Court, retired to their apartment.

J. L. Nichols, appointed Bailiff to the Grand Jury; appeared
in court and took the oath prescribed by Law for the faithful discharge
of his duties.

Andrew Baker, appointed Bailiff to the Court for the present Term,
appeared in Court and took the oath prescribed by Law.

On motion of the District Attorney, it is ordered that
the Criminal Docket be set to be taken up on Monday next.

98	Alex^r Thomson et al	vs	E. S. C. Robertson et al
1021	G. W. Cartwright	vs	Jn^o T. Porter
1037	A. G. Wein	vs	R. Creuzbaur &c
1091	Francis Kelly	vs	Hall Medlin et al
1299	F. Dieterich Adm^r &c	vs	Glafcock & Malitsky
1459	J. R. Pace et al	vs	C. R. Johns et al
1460	C. R. Johns et al	vs	J. R. Pace et al
1685	P. Wilcox et al	vs	C. M. Smith et al
1728	P. B. Calhoun	vs	Geo. Hancock et als
1752	Thomas Eborn	vs	W. R. Cannon's Adm^r
1807	Edward Grumbles	vs	B. Grumbles et al
1816	James A. Stewart	vs	Shadrach Pearce et als
1818	John T. Miller	vs	M. A. Taylor
1955	Francis Winans	vs	Wm Fowler

By consent of the parties to the above named
causes by their Attornies, it is ordered that they be severally continued

District Court Minutes, Spring Term, May 14th 1866.

✓ 2013	E. Henry tal	vs	A. M. Davidson
✓ 2033	Morgan C. Hamilton	vs	James O. Rice
✓ 2036	Wm B. Burditt	vs	Hamilton & Sims
✓ 2322	Sarah Johnson	vs	T. W. Nolin

By consent of the parties to the above named causes by their attornies, it is ordered that they be severally continued.

✓ 403	Jaines Park	vs	W. S. Oldham

On motion of Plaintiff by his attorney it is ordered that William M. Walton Esq. be appointed Guardian ad litem for the minor heirs of S. Oldham dec'd to protect their interests in this cause: and by consent. ordered that this cause be continued.

+ ✓ 850	N. W. Burditt	vs	Wm Buttery

By agreement of parties by their attornies it is ordered that this cause be dismissed, and that each party pay the costs he has accasioned.

× ✓ 1841	George Hancock	vs	Martin Moore

On motion of attorney for Plaintiff, it is ordered that this cause be dismissed, and that Plaintiff pay all the costs thereof to be taxed.

+ ✓ × 2001	L. L. Sykes	vs	J. H. Rogers tals

On motion of Plaintiff by his attorney it is ordered that this cause be dismissed, and that Plaintiff pay all the costs thereof to be taxed.

+ ✓ ✓ 2052	J. R. Jackson	vs	Thos. J. McKinney

On motion of Plaintiff by his attorney it ordered that this cause be dismissed and that Plaintiff pay all the costs thereof to be taxed.

✓ 2148	Wilson Green	vs	Duval & Sampson

On motion of Plaintiff by his attorney, he has leave to amend his Petition filed in this cause.

+ ✓ ✓ 2172	Asa McKenzie	vs	James Wale tal

On motion of Plaintiff by his attorney it is ordered that this cause be dismissed and that Plaintiff pay all the costs thereof to be taxed.

✓ ✓ 2218	L. Tams	vs	M. T. Johnson tal

Comes plaintiff by his attorney and suggests the death of Defendant M.T. Johnson: whereupon it is ordered that his legal representatives (when Known) be made parties defendents hereto in his stead.

✓ ✓ 2234	William Rust	vs	C. R. Johns, Comptroller &c

It being suggested to the Court on the part of Defendant that the Plaintiff in this cause has departed this life, it is ordered that this cause be continued that the proper parties may come in (if they choose) to prosecute the same.

+ ✓ ✓ 2275	Chandler & Johnson	vs	Samuels & Mafson &c

On motion of Plaintiffs by their attorney it is ordered that this cause be dismissed, and that Plaintiffs pay all the costs thereof to be taxed.

✓ ✓ 2337	Amos Morrill	vs	A. H. Cook

On motion of Defendant he has leave

District Court Minutes, Spring Term, May 15th A. D. 1866

to amend his answer filed in this cause

V 2316 Lewis Elgin vs E. Hansborough

On motion of Defendant by his Attorney he had leave to amend his answer filed in this cause.

Ordered that Court be adjourned till to-morrow Morning 9 O'clock.

Tuesday May 15th 1866

Court opened pursuant to adjournment. Present the same Judge as on yesterday:

The Grand Jury appeared in Court and presented

1606 An Indictment against Alexander Swisher and Thomas Swisher (freedmen) for theft of two Beeves or Steers:

1607 An Indictment against Pleasant Turner & John Turner for theft of a Beef Steer.

1608 An Indictment against Sanford Dogs for Theft of a Plough

1609 An Indictment against Randall Lightfoot for Theft of Corn

And the said Grand Jury not having finished the business before them, retired again to their apartment.

↓V 187 Robert Mitchell vs M. C. & J. Burditt:

↓V 201 Wm Bonner Wife vs John Beck's heirs

↓V 222 B. Grumbles Wife vs J. J. Grumbles et al

↓V 257 J. C. Stephenson Dec vs Samuel Craft admr

↓V 259 Edward Grumbles vs W. S. Oldham

↓V 316 J. J. Grumbles vs G. G. Pace et als

By consent of Parties by their Attornies, it is ordered that the above named causes be severally continued.

↓V 882 A. P. Hill vs J. J. Grumbles & M. L. Hamilton

On Suggestion by Defendants by their attorney of the death of Plaintiff, it is ordered that his legal representatives (when Known,) be made Parties plaintiff in this cause; and the Cause is continued

↓V 1288 Thomas Blair vs Sidney H. Harris

On motion of plaintiff by his attorney this cause is continued at his costs.

↓V 1303 North Sherman & Co vs Mitchell & Gibson

Come the Plaintiffs by their Attorneys and Suggest that Defendant Gibson is dead: whereupon it is ordered that his legal representatives (when Known) be made defendants herein by Scire facias: and this cause is continued.

↓J 1318 R. M. Joyner vs Le W McAnally Dec'd

On motion of Plaintiff by his attorney who Suggests that Defendant McAnally is dead, it is ordered that Scire facias issue to his legal representatives, when Known, Summoning them to appear and defend in this cause: and it is further ordered that this cause be continued.

↓J 1332 F. Kelly vs Geo. Hancock

Come defendant by his attorney, and the plaintiff failing to appear and prosecute his Suit, it is ordered that this cause be dismissed; that defendant go hence thereof without day, and recover of Plaintiff all the costs of this Suit, to be taxed

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C 1528 J. S. Thompson vs J. Dyches et al
The death of Defendant Millard being suggested to the Court, it is ordered that this suit be revived against his heirs & legal representatives: and on motion of Josiah Taylor by his Attorney he had leave to intervene herein: and this cause is continued.

C 1669 H. Grooms & wife vs B. F. Carter dals
On the suggestion by Plaintiffs by attorney that the defendants Bird Holland, Matilda Holland, B. F. Carter and L. S. Carter have departed this life, it is ordered that this cause be revived against their legal representatives when known: and this cause is continued

V 1709 Phelps & Johnston vs Jn°C. Zuchlag & Hancock dals Intervenors
On motion of Plaintiffs by Attorney it is ordered that this Cause be continued as on affidavit of Plaintiff

+ V 1751 Phineas De leardova vs John Crayton & als:
come the parties by their attornies, and on motion of Defendants by their attorney, they have leave to amend their answer filed in this cause: and the Demurrer and exceptions of Plaintiff to Defendant Crayton's answer being argued and maturely considered, it is ordered that said Demurrer & exceptions be overruled: to which opinion of the Court Plaintiff by attorney excepts: And the Demurrer and exceptions of Defendants to Plaintiffs petition being argued and maturely Considered, it is ordered by the Court that the same be overruled, to which opinion of the Court Defendants by attorney except: and the parties announcing themselves ready for trial, thereupon came a Jury. to wit. John B. Banks and eleven others, who being duly elected, empaneled and Sworn, and having heard the evidence, arguments of Counsel and charge of the Court, upon their oath returned the following verdict, "We the Jury find for the Plaintiff. John B. Banks. Foreman"
Wherefore it is considered by the Court that Plaintiff P. De leardova recover of Defendants John Crayton, H. J. Crump & Leopold Tellman the sum of Eight hundred and seventy four Dollars and ninety cents with interest thereon at the rate of eight per cent per annum from this day till paid and all the costs of this suit to be taxed

+ V 1986 Hanford & Browning vs Glafcock & Millican
Come the Plaintiff and defendant Glafscock by attorney, and defendant Millican, though duly summoned, failing to appear and answer, the Demurrer of Defendant Glafscock to Plaintiffs Petition being argued and maturely considered, it is ordered that the same be overruled: and a jury being waived by Plaintiff and defendant Glafscock and the cause by them submitted to the Court, and this action being founded on a liquidated demand, it is thereupon considered by the Court that Plaintiffs Hanford & Browning recover of Defendants Glafscock & Millican the sum of One Thousand Eight hundred and fourteen Dollars with interest thereon at the rate of eight per cent per annum from this day till paid and all the costs of this suit to be taxed.

+ V 1793 C. R. Hampton vs John C. Hampton
On motion of Plaintiff by Attorney,

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it is ordered that this cause be dismissed and that Plaintiff pay all the costs thereof to be taxed.

1819 F. A. Thomson &c vs A. Danes &c

On motion of plaintiff by attorney it is ordered that this cause be continued as on Plaintiff's affidavit.

1885 W. G. Wallace vs D. C. Heffington

On suggestion of the death of Plaintiff it is ordered that this cause be revived in the name of his legal representatives; and this cause is continued.

1892 R. Butcher &als vs C. H. Randolph, Jr.

On motion of Plaintiffs by attorney they have leave to amend: and the Plaintiffs' demurrer to the answer of defendant being argued & maturely considered, it is ordered that the same be overruled: and this cause is continued to make new parties.

1909 Thomas B. Huling vs James M. Buxton

It being suggested to the Court that Plaintiff is dead, on her motion by attorney, it is ordered that this suit be revived in the name of Elizabeth Huling, surviving wife of said Plaintiff: and on her suggestion that defendant James M. Buxton is dead, it is ordered that De Shea Buxton of Hays County his legal representative, be Summoned by Scire facias to appear and defend in this behalf: and this cause is continued

1920 Geo. H. Gray Ch. Jus. &c vs W. B. Lovington &als

On motion of Plaintiff by attorney, who suggests that the Defendants in this cause are dead, it is ordered that Scire facias issue to their several legal representatives (when Known) Summoning them to appear and defend in this suit: and the cause is continued.

1975 Phelps & Johnston vs Wm P. Sharp &al

Defendants, on their motion have leave to amend their answer and this cause is continued.

2007 Phelps & Johnston vs John Marshall & Co

On a suggestion of the death of defendant S. W. Allen, it is ordered that Scire facias issue to his legal representatives when Known, Summoning them to appear and defend in this cause: and this cause is continued.

2022 John Brown vs Raymond & Thompson

On motion of Defendants by Attorney it is ordered that this cause be continued as on their affidavit.

2149 Wm H. Reed vs Asa McKenzie &al

Defendant, on his motion, has leave to amend his Answer.

2211 Thompson P. Redding vs D. H. Coleman

Defendant, on his motion, has leave to amend his answer.

2245 Wm Oliphant vs W. G. Johnson.

Plaintiff, on his motion, has leave to amend.

2285 Avis Sampley vs D. B. Sampley

George R. Scott, Esq. is by the Court

appointed to defend in this cause.

+VV 2299 C. Krohn vs A. Alpig

On motion of Plaintiff by attorney, it is ordered that this cause be dismissed, and that Plaintiff pay all the costs thereof to be taxed.

√V 2301 Amelia Bricht vs Jno. J. Beech

Plaintiff on motion, has leave to amend her petition.

√V 2320 R. M. Castleman vs Black & Morrill

On motion of Plaintiff by his attorney it is ordered that the Sheriff of County have leave to amend his return on the citation ifsued to him in this cause.

√V 2321 R. M. Castleman vs Reger & Morrill

On motion of Plaintiff by his attorney it is ordered that the Sheriff of County have leave to amend his return on the citation ifsued to him in this cause.

√V 2322 Sarah Johnson vs T. W. Nolen

On motion of Plaintiff by attorney, it is ordered that the Sheriff of County have leave to amend his return upon the Citation ifsued to him in this cause.

√V 2324 R. M. Castleman vs Roberts & Carr

On motion of Plaintiff by attorney, it is ordered that the Sheriff of County have leave to amend his return upon the Citation ifsued to him in this cause.

√V 2334 A. Baird vs Flournoy & Davis

Ordered that this cause be continued to perfect service.

√V 2346 Wm D. Smith vs Jonathan Rogers

On motion of Plaintiff by attorney, ordered that this cause be dismissed and that plaintiff pay all the costs thereof to be taxed.

Ordered that Court be adjourned till tomorrow morning 9 O'clock.

Wednesday May 16th 1866

Court opened pursuant to adjournment: Hon. I. B. McFarland Judge presiding:

On the application of Fred. Carleton, Esq. for license to practise as an Attorney and Counsellor at Law in the Courts of this State, accompanied by a certificate from the County Court of Travis County that said Carleton has been a resident of this State at least six months, that he is twenty one years of age and has a good reputation for moral character and honorable deportment, the Court appointed W. H. D Carrington, F. W. Chandler & A. S. Walker Esquires, practising Attorneys, a committee to make the examination required by Law at this present time; and said applicant being present. the said Committee proceeded in open Court to make the required examination: and the said committee and the Court being satisfied of the legal qualifications of said applicant, it is ordered that the Clerk make out a license for the said Fred. Carleton according to law.

District Court Minutes, Spring Term, May 15th 1866

1751 P. De Cordova vs John Crayton & als

By consent of Parties by their Attornies, the Jury empanneled in this cause on yesterday, have leave to amend their Verdict rendered herein, and thereupon they amended the Same: whereupon it is ordered that all that Portion of the order and judgment entered in this cause on yesterday, from and after the words "returned the following verdict" be set aside, annulled and set at nought: and that in lieu thereof the following be entered to wit:

"We the Jury find for the plaintiff in the Sum of Eight Hundred & seventy four $\frac{90}{100}$ Dollars principal and interest on note to date. We further find that John Crayton Signed the note Sued on as the security of H. J. Crump. J. B. Banks. Foreman."

Wherefore it is considered by the Court that plaintiff P. De Cordova recover of Defendants John Crayton, H. C. Crump and Leopold Hellman the Sum of Eight Hundred and Seventy four $\frac{90}{100}$ Dollars principal and interest on note sued on, with legal interest thereon from this day till paid, and all the costs of this cause to be taxed.

And because it appears to the Court from the Verdict of the Jury, that the said John Crayton Signed the note on which this action is founded as the Surety of the said H. J. Crump, it is further considered by the Court that any Payment made by the said John Crayton upon this judgment, shall not finally discharge said judgment as to said H. J. Crump: but that So much thereof as may be paid by said John Crayton, may be Prosecuted to execution against the said H. J. Crump for the use of the said John Crayton.

2062 Austin Sumner & Co vs E. & A. Ten Eyck

In this Case appeared the parties by their Attornies and the Plaintiff Suggested the death of the Defendant Alfred Ten Eyck and dismissed his suit as to said defendant: it is therefore ordered adjudged and decreed by the Court that this suit be and the Same is hereby dismissed as against said defendant and that plaintiff take nothing by their suit as against him. And Plaintiffs announcing themselves ready for trial and a Jury being waived and the matters in Controversy between the parties being by them submitted to the Court: and the evidence being heard, it is ordered adjudged and decreed by the Court that the Plaintiffs Austin Sumner, John R. Kimball and Edward O. Taft under the firm name & Style of Austin Sumner & Co do have and recover off & from the defendant Edward Ten Eyck the Sum of Seven thousand three hundred and thirteen $\frac{87}{100}$ Dollars for their principal debt and interest to this date with eight per cent interest thereon from this date till paid and all costs of this suit to be taxed.

2086 John Bremond vs W. D. Thompson

Dis'd Settlement Nov 2 in Favor Defendant

On motion of Plaintiff by his attorney, he has leave to amend his Petition: and thereupon came the parties by their Attornies and waiving their right to trial by Jury, submit the matters in controversy to the decision of the Court; and the evidence being heard, it is ordered adjudged and decreed by the Court that the plaintiff John Bremond do have and recover from the defendant W. D. Thompson the Sum of Three hundred and thirty $\frac{35}{100}$ Dollars for his principal & interest up to this

date with interest at eight per cent per annum from this day till paid together with all costs of this suit; for which execution may issue according to Law.

✓ V	986	Thomas F. Chapman	vs Gambles + Duncan
✓ V	1162	Arthur G. Wavell	vs E. M. Pease. Gov.
✓ V	1164	W. D. Thompson	vs Chas + Aug. Reidel
✓ V	1302	Joseph Newsham	vs John Newbrand
✓ V	1554	F. Jordon	vs J. G. Hill & c & c
✓ V	1613	M. R. Cannon & c	vs Martha Smith & als
✓ V	1623	W. R. Baker	vs Q. J. Nichols
✓ V	1625	J. L. Nichols	vs C. Lockwood & als
✓ V	1631	Wm alexander	vs Thomas F. Chapman
✓ V	1667	John Edgar	vs Q. J. Nichols & als
✓ V	1671	J. A. Poage	vs S. P. Bird
✓ V	1693	S. J. Calpidy adv	vs John King
✓ V	1695	N. S. Staten	vs W. D. Miller & c & c
✓ V	1743	H. G. Stemmons	vs S. C. & Ly. R. Freeman
✓ V	1747	A. V. Burleson	vs Jno V Burleson & al
✓ V	1759	H. M. Fizer	vs Huling & Bunton
✓ V	1760	Wm M. Wilson	vs J. T. Cleveland & als
✓ V	1804	S. M. Swenson	vs Mary C. Payne
✓ V	1774	Wm. H. Luckie	vs John H. Conner
✓ V	1842	M. C. Burditt	vs G. H. & V Burditt & al Admrs & c
✓ V	1844	A. Thompson & al	vs W. D. Thompson & als
✓ V	1887	L. Fellman	vs C. R. Johns & c
✓ V	1913	F. J. Barziza adm	vs James S. Holman
✓ V	1959	Green L. Hill	vs John H. Conner
✓ V	1960	Sam. F. Wheeler	vs W. P. Newman's heirs
✓ V	1961	James Wall	vs D. F. Brown
✓ V	1965	William Bartlett	vs Christiana Bartlett
✓ V	1973	Thos J. Wood	vs F. M. White Com. & c
✓ V	1989	Ellen Duval & als	vs A. M. Davidson & al

For reasons appearing to the Court, it is ordered that the above named causes be continued.

✓ V	1992	Irena Blaylock	vs Fisk & Bowers:

Comes the Clerk of this Court and moves the Court for a rule upon Plaintiff to give Security for costs: and Plaintiff's attorney being present and notified thereof, it is ordered that this case stand dismissed unless Security for costs be given according to Law: and this Cause is continued.

✓ V	2004	Neil McGaffey & wife	vs Thomas P. Hughes

Comes the Clerk of this Court & moves the Court for a rule upon Plaintiffs to give Security for costs: and Plaintiffs' attorney being present & notified thereof, it is ordered that unless Security for costs be given according to Law this Cause shall stand dismissed: and the Cause is Continued.

✓ V	2029	F. T. Duffau	vs John H. Conner

On motion of Plaintiff by attorney he has leave to amend his Petition. And thereupon come the parties by their Attorneys and waiving the right of trial

by Jury. Submit the matters in controversy to the decision of the Court: and the evidence being heard, it is ordered, adjudged & decreed by the Court that plaintiff F. T. Duffau have & recover off & from defendant John H. Connor the sum of five hundred & thirty two $\frac{40}{100}$ Dollars, for his principal & interest to this day, and interest thereon at the rate of ten per centum per Annum from this day till payment, and all the costs of this Suit, for which execution may issue according to Law.

+ V 2053 S. M. Swenson vs R. H. Simmons et als

On motion of Defendant Bowers by attorney he has leave to substitute & file a Demurrer to Plaintiff's Petition in place of one heretofore filed & now mislaid: and the demurrer of Defendant Bowers to the Petition of Plaintiff being heard, argued & maturely considered, it is ordered that said Demurrer be overruled: and thereupon comes Plaintiff by his attorney, and announces himself ready for trial as to Defendants Simmons, Bowers, W. G. Johnson & John Phelps, who have been served with procs. and dismisses as to James C. Phelps & Wesley Johnson, who have not been served with procs: Also comes Defendant Bowers and announces himself ready for trial; and the parties agree to submit the issues to the Judge without the intervention of a Jury: and because it seems to the Court that the defendant Simmons was in reality the principal and said Bowers and W. G. Johnson the sureties of the note sued on Payable to the order of Phelps & Johnson and that said Phelps & Johnston were the endorsers of the same, which note was dated 21 July 1860 payable at Sixty days for four hundred and twelve Dollars with ten per cent per annum interest from due till paid: It is therefore considered that Plaintiff recover of said R. H. Simmons, M. H. Bowers, W. G. Johnson and John Phelps the sum of four hundred and twelve Dollars principal and two hundred and thirty one $\frac{74}{100}$ Dollars interest - making in all the sum of six hundred and forty three $\frac{74}{100}$ Dollars & all costs herein expended, and that execution issue, and the note sued on drawing ten per cent interest, it is considered that this judgment draw the like interest of ten per cent till paid: It is further considered that in making the levy of the executions to be issued hereon, that the Sheriff levy first upon the property of said Simmons subject to Execution, if found in Travis County, before the same shall be levied upon the other Defendants.

V 2058 James C. Pickel vs Glasscock & Millican

On motion of Plaintiff by his attorney it is ordered that this cause be continued as on his affidavit.

V 2060 W. A. Van Alstyne vs Cyprus Puckett

On motion of Plaintiff by attorney he has leave to amend his Petition.

V 2064 James Riley vs Joseph Webb et al

On motion of Ellen H. Riley, Executrix of Plaintiff, who suggests the death of Plaintiff, it is ordered that this suit be revived and prosecuted in her name:

and on her further suggestion that the defendant Joseph Webb is dead, it is ordered that his legal representatives when known, be made defendants herein: and this cause is continued therefor.

+V 2073 L. D. Carrington vs E. B. Smith & als

Come the Plaintiff & defendant Smith by their attonies: and the defendants Hill and Ford having been duly Summoned, and failing to appear and answer, and this suit being founded upon a liquidated demand, it is ordered that Plaintiff have judgment against them by default: and thereupon came a Jury, to wit, John B. Banks and eleven others, who being duly elected, tried and Sworn and having heard the evidence, arguments and charge of the Court, upon their oath rendered the following verdict, "We the Jury find for the plaintiffs five hundred and seventy five 97/100 Dollars, it bing the principle & interest at 8 per cent. John B. Banks Foreman" ——— Whereupon it is considered by the Court that Plaintiff recover of Defendants E. B. Smith, Wm M. Ford and Wash. L. Hill the Sum of Five hundred & Seventy five 97/100 Dollars with legal interest thereon from this day tile paid and all the costs of this suit.

+V 2075 H. P. McClurpe & wife vs Wm Smith & als

The plaintiffs in this Cause having failed to comply with the rule for security for costs heretofore entered (of which they had due notice) it is ordered that this cause be dismissed, and that Plaintiffs pay all the costs thereof.

V 2084 W. W. Townsend vs A. H. Cook

Ordered that this cause be continued as an affidavit of Plaintiff

V 2086 John Dremond vs W. D. Thompson

On motion of Plaintiff by Attorney he has leave to amend his Petition; and thereupon came the Parties by their attorneys & submit the matters in Controversy to the Court without the intervention of a Jury: and after hearing the evidence it is considered by the Court that Plaintiff recover of Defendant the Sum of Three hundred & thirty 35/100 Dollars principal & interest to this day, with interest thereon at eight per cent per annum from this day tile paid and all the costs of this suit.

(Entered on page 215)

V 2092 John Smith vs Q. J. Nichols

On motion of Plaintiff by his attorney he has leave to amend his Petition; and the matters of law arising under the demurrer of Defendant being heard, it is considered by the Court that said Demurrer be overruled, to which opinion of the Court Defendant by his Attorney excepts: whereupon came the Parties by their Attonies and waiving the right of trial by Jury submit the matter in Controversy to the Court; and the evidence being heard it is considered by the Court that Plaintiff recover of Defendant the Sum of three

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hundred & seventy Seven $\frac{80}{100}$ Dollars principal & interest to this day, with interest at eight per cent from this day till paid, and all the costs of this Suit & execution may issue.

+ ✓ 2098 John Teris vs Mary L. & W. L. Chalmers

On Suggestion of the death of Defendant Mary J. Chalmers, it is ordered that this Suit be revived against her legal representative when Known & the cause is Continued

+ ✓ 2146 Wilds K. Cooke Guardian &c vs R. B. Clements &al

Come the parties by Attornies and waiving a Jury, submit this cause to the Court: and the evidence having been heard, it is ordered adjudged & decreed by the Court that Plaintiff Wilds K. Cooke do have and recover of & from the defendants Robert B. Clements & Louis Horst the sum of Eighteen Hundred & Seven $\frac{17}{100}$ Dollars, for his principal debt & interest to date with eight per cent interest thereon from this date till paid, and all the costs of this suit. + ✓

It further appearing to the Court that the note sued on in this cause was given for the purchase money of Lot number One in Block Number One hundred and twenty four in the City of Austin in the County of Travis in the State of Texas, fronting on Congress Avenue as more fully appears by the Map or plat of said City, and that said lot is liable for the amount of this Judgment, and that said note constitutes a lien upon the same: It is therefore ordered, adjudged and decreed by the Court, that said Vendor's lien be and the same is hereby foreclosed and that said Lot N° 1 in Block N° 124 be sold in satisfaction of this Judgment: and the Clerk of this Court is hereby ordered to issue an Order of Sale directed to the Sheriff of Travis County, requiring him to sell said lot N° 1 in Block N° 124 as upon execution & apply the proceeds of said Sale to the satisfaction of this Judgment, whenever the Law will permit property to be sold under execution: and that execution may issue for whatever may remain unpaid from the Sale of said Lot.

✓ 2148 Wilson Green vs Jn° C. Duval &al

Ordered that this cause be continued for service on Defts. Duval in Grimes County.

× ✓ 2151 Carroll Herrick & Mead vs Adams & Goodrich

On motion of Plaintiffs by attorney they have leave to amend their Petition: and thereupon come the parties by their attornies and waiving a Jury, submit this cause to the Court: and the evidence being heard, it is ordered, adjudged and decreed by the Court that Plaintiffs George Carroll, Benjamin F. Mead and A. Herrick under the firm name & style of Carroll Herrick & Mead do have and recover of & from Frank E. Adams and B. G. Goodrich under the firm name of Adams & Goodrich the sum of Nineteen Hundred and thirty two Dollars for their principal & interest to this date with eight per cent per annum interest from this date until paid, and all costs of this suit.

× ✓ 2152 Reid & Tracy vs Adams & Goodrich

On motion of Plaintiffs they have leave

to amend their petition; and thereupon come the parties by their Attornies and waiving a Jury. Submit this Cause to the Court: and the evidence being heard, it is ordered adjudged and decreed by the Court that Plaintiffs Aaron L. Reed & James J. Tracy, under the firm name & Style of Reed & Tracy do have and recover off & from the defendants Frank Adams & Beverly G. Goodrich under the firm name & Style of Adams & Goodrich the Sum of Three Hundred & eight & dollars for their principal debt & interest to this day, and eight per Cent interest thereon from this day till Paid and all the costs of this suit.

+ 2147 B. A. Shepherd vs John Phelps & al

On Suggestion of Plaintiff by attorney of the death of defendant John Phelps, and on his motion it is ordered that this suit be dismissed as to said John Phelps: and it appearing to the Court that defendants Wesley Johnson and James L. & T. Phelps have been duly Summoned, and failing to appear and answer, it is ordered that Plaintiff have judgment against them by default upon the execution of a writ of enquiry which is hereby awarded: and thereupon Came a Jury, to wit, Arthur R. Crozier and eleven others, who being duly elected tried & Sworn, and having heard the evidence arguments & charge of the Court returned the following verdict: "We the Jury find a verdict for the Plaintiff as follows:

Debt —	$ 4.500.
Damages (Int)	3.806.25
making the Sum of	$ 8.306.25

and that the property set forth in the petition Lot N° 1 in Block 83 is bound for the payment of debt & damages.
May 15th 1866. Arthr. R. Crozier "

Whereupon it is considered by the Court that plaintiff B. A. Shepherd recover of said Defendants Wesley Johnston and James L. & T. Phelps the sum of Eight Thousand three hundred and six $\frac{25}{100}$ Dollars, principal and interest to date, with interest thereon from this day till paid at the rate of ten per centum per annum and all the costs of this suit.

And it appearing to the Court from the Verdict of the Jury, that Lot N° 1 in Block N° 83 in the City of Austin State of Texas is bound for the Payment of said principal & interest, and that the note on which this action is founded, constitutes a vendor's lien upon said Lot: It is therefore ordered adjudged and decreed by the Court that the Vendor's lien on Lot Number One in Block Number Eighty three in the City of Austin, State of Texas, as shewn on the Map or Plat of said City, be and the Same is hereby foreclosed, and that said Lot be adjudged liable to the Satisfaction of this judgment: and it is ordered that whenever the Law will permit Sales of property under execution, the Clerk of this Court issue to the Sheriff of this County an order of Sale requiring him to sell said Lot as

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under execution according to Law and apply the proceeds of said Sale to the Satisfaction of this Judgment: and if said sale fail to produce a Sum sufficient for that purpose, that execution issue against said Phelps & Johnston for the residue.

V. 2153 Cushing, King & DeGraw vs Adams & Goodrich:

On motion of Plaintiffs by Attorney they have leave to amend: Whereupon come the parties by their Attornies and waiving the right to trial by Jury. submit this cause to the decision of the Court: and the evidence being heard. it is ordered adjudged and decreed by the Court that Plaintiffs Horace Cushing. Richard W. King and William H. De Graw under the firm name & style of Cushing King & DeGraw. do have and recover of & from Frank E. Adams and B. G. Goodrich under the firm name & style of Adams & Goodrich. the Sum of eiteen hundred and sixty $\frac{22}{100}$ Dollars for their principal debt & interest up to this date with eight per cent per annum interest from this date until paid, together with all costs of this Suit. for which execution may issue according to Law.

V 2158 Sampson & Hemicks vs George W. Glafcock

On motion of Plaintiffs by Attorny. leave is given to amend the Petition: and it being suggested that the Plaintiff Abram Hemicks is dead, it is ordered that this suit proceed & be prosecuted by Plaintiff George W. Sampson. as surviving partner of the firm of Sampson & Hemicks: And thereupon came the Parties by their Attornies. and waiving the right to trial by Jury. submit this cause to the decision of the Court: & the evidence being heard, it is considered by the Court that plaintiff George W. Sampson. surviving partner of Sampson & Hemicks recover of Defendant George W. Glafcock the Sum of Four Hundred & Nineteen Dollars & ninety one cents principal & interest to this day, and interest thereon at the rate of ten per cent per annum from this day till paid and all the costs of this Suit.

V 2160 Swante M. Swenson vs Wm. M. Harrison & A. Morrill

Come the Plaintiff by Attorney. and defendant Morill in person and waiving a Jury. submit this Cause to the decision of the Court: and it appearing to the Court that defendant Harrison has been summoned according to Law and failing to appear and answer. and this action being founded on a liquidated demand, after hearing the evidence it is considered by the Court that Plaintiff S. M. Swenson recover of Defendants Wm. M. Harison and Amos Morill the Sum of Five Hundred and thirty nine $\frac{50}{100}$ Dollars principal & interest to this day, and interest thereon at the rate of ten per cent per Annum from this day till paid and all the costs of this suit.

And it appearing to the Satisfaction of the Court that defendant Morrill is liable in this cause only as endorser of the note Sued on, it is ordered that in levying execution issued on this judgment. the Sheriff be directed to levy first on the property of defendant Harison liable to execution situate in Travis County, if a sufficiency be found. and then upon the property of said Morill for so much as may be necessary to satisfy this judgment

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1576 The State of Texas vs Henry Earl

Come defendant Henry Earl as principal and Addison Smith as surety and acknowledge themselves jointly and severally to owe the State of Texas One thousand Dollars to be levied of their respective lands & tenements, goods & chattels, upon this condition, that if the said Henry Earl shall personally appear befor this Court here at the present Term, to answer to a charge of Horse Stealing of which he stands indicted, and remain from day to day and from term to term until discharged by due course of law, then this obligation is to be void, else to remain in full force.

1582 The State of Texas vs Wm & Chas Ake

On motion of Defendants by Attorney, ordered that this cause be continued as on their affidavit.

1590 The State of Texas vs J. W. Bonner et al.

On motion of Defendant Bonner, by Attorney, Sustained by affidavit, it is ordered that Attachments be issued to Caldwell County for Joseph Cronk, to Lampasas County for R. Crofs, and to Brown County for Parson Jolly, witnesses for defendant.

The Grand Jury appeared again in Court and presented

1610 An Indictment against Lem. Risher (freedman) for Theft of Cloth

1611 An Indictment against Dick ——— (freedman) for Theft:

and not having finished their business, the said Grand Jury retired to their apartment.

2157 L. D. Carrington vs Edwin Waller Dalr:

Comes Plaintiff by his attorney, and moves the Court to dismiss this case as to defendants J. A. Burditt; whereupon it is ordered that this suit be dismissed as to defendant Jacob A. Burditt; and it appearing to the Court that Edwin Waller and W. D. Johnson have been duly summoned, and the said Edwin Waller and W. D. Johnson failing to appear and answer, it is considered by the Court that Plaintiff have judgment against said defendants Waller & Johnson according to the prayer of his Petition, upon the execution of a Writ of Enquiry which is hereby awarded.

2171 D. R. D. Cheesum vs Martin W. Townsend.

On motion of Plaintiff by his Attorney he has leave to amend his Petition.

Ordered that Court be adjourned till tomorrow morning 9 O'clock

Thursday May 17th A.D. 1866.

Court was opened according to adjournment:
Present Hon. J. D. McFarland Judge 2d Jud. Dist.

The Grand Jury appeared again in Court and presented

1612 An Indictment against Sanford Dofs. (freedman) for theft of Beef Steer:

1613 An Indictment against John Humphreys (freedman) for theft of a Horse:

1614 An Indictment against John G. Sneed for altering mark of Cow.

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And the said Grand Jury not having finished their busines. retired to their Apartment.

560 L. F. Price — vs — W. Short

On motion of Plaintiff by Attorney this cause is continued as on his affidavit.

1784 L. D. Carrington & Co — vs — F. Holt. claimant

Come the parties by their attornies, and waiving the right of trial by Jury. Submit the issue between them to the decision of the Court: and the evidence being heard. it is Considered by the Court that the right to the property in controversy is in the claimant F. Holt, and that he retain the same, free from all claims on account of the levy heretofore made thereon and recover of Plaintiff all the costs of this proceeding.

1916 B. J. Collins — vs — Thomas Griffin.

Ordered that this cause be continued for service

1997 M. F. Bell — vs — John B. Perry

On motion of Plaintiff this cause is continued

2023 John Sayles Adm — vs — John Bolware & als

2025 James Humphrey — vs — D.C. & G. R. Freeman

2026 James Humphrey — vs — D.C. Freeman

2050 L. Arrington — vs — J. H. Denson

2074 Mary Ann Doran — vs — F. M. White Commr &c

2088 F. Stenssy — vs — P. K. Marshall

2090 L. R. Johns — vs — E. Kirk

For reasons appearing to the Court. it is ordered that the above named Cause be continued.

2094 L. L. Browning & al. Admrs de — vs — Jane Bell Sublett

Come the parties by their Attornies, and waiving their right to trial by Jury. Submit this Cause to the Court. and after hearing the Parties and their evidence, it is considered by the Court that Plaintiffs recover of said defendant Jane Bell Sublett and of L. S. Friend, Wm M. Walton and John T. Price, sureties in her bond for certiorari the sum of One hundred and twenty three 24/100 Dollars with interest at the rate of ten per centum per annum from this day until paid, and all the costs of this suit as well in the Court below as in this Court: and Defendant by her attorney in open Court gives notice of appeal.

2161 L. L. Brashear Admr. &c — vs — R. J. Townes

On motions of plaintiff by his attorney he has leave to amend his Petition and make new parties: and for that purpose, this cause is continued.

2162 Jno. M. Gault — vs — Wm Armstrong

Comes Plaintiff by his attorney, and the defendant having been duly summoned and failing to appear and answer, and this action being founded on a liquidated demand proved by a note in writing, it is considered by the Court that Plaintiff Jno. M. Gault recover of Defendant Wm Armstrong the Sum of One hundred and seventy nine 85/100 Dollars principal and interest to date, with interest thereon at the rate of ten per centum per annum from this day till paid and all costs of suit; and that Execution be issued on this judgment when the law permits.

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√ 2149 William H. Reed vs Asa & Alexander McKenzie

Come the parties by their attornies, and the Demurrer & exceptions of Defendants to the Petition of Plaintiff being heard, argued & maturely considered, it is ordered by the Court that the said demurrer and exceptions be overruled: to which opinion of the Court Defendants by their attorney excpt. and thereupon Came a Jury. to wit. J. B. Banks and eleven others, who being duly elected tried and sworn. upon their oath rendered the following verdict: "We the Jury find for the Plaintiff as follows:

Principal	$125.00
Interest	61.52
making the Sum of	186.52

J. B. Banks. Foreman"

Wherefore it is considered by the Court that Plaintiff William H. Reed recover of Defendants Asa McKenzie and Alexander McKenzie the Sum of One hundred and eighty six 52/100 Dollars principal and interest to this day, with interest thereon at the rate of eight per cent per annum from this day till paid, and all the costs of this suit.

√ 2164 C. Spaulding vs T. N. Waul

Come the parties by their attornies and the Demurrer, exceptions and plea to the jurisdiction of this Court filed by Defendant being argued and maturely considered, it is ordered that the said Demurrer, exceptions & plea be overruled: and thereupon, the Parties by their attornies waiving their right to trial by Jury and submitting this cause to the decision of the Court. after hearing the evidence, it is considered by the Court that plaintiff C. Spaulding recover of Defendant T. N. Waul the Sum of Six hundred and ninety one 92/100 Dollars principal & Interest to date, and Interest thereon from this day till paid at the rate of eight per cent per annum. and all the costs of this suit, for which execution may be issued when allowed by law.

√ 2166 Geo. W. White vs R. A. Lemmon

Comes the Plaintiff by his attorney, and it appearing to the Court that the Defendant has been duly summoned, and has failed to appear and answer, but has wholly made default: and it further appearing to the Court that this action is founded upon a liquidated demand proved by a note in writing, it is therefore ordered adjudged and decreed by the Court that the Plaintiff George W. White do have and recover of and from the defendant R. A. Lemmon the Sum of fifteenhundred and fifty nine 75/100 Dollars principal and interest to this day, with interest thereon at the rate of eight per centum per annum from this day till paid and all the costs of this suit, for which execution may be issued according to Law.

√ 2167 J. W. P. McKenzie vs R. J. Townes' Exor & G. W. Pascall

The Plaintiff and the Executor of R. J. Townes deceased appear and acknowledge themselves ready for trial: when said defendant withdraws the answer heretofore filed and says he has no defence to the Plaintiff's cause of action: and the said Pascall

having been duly served fails to appear - wherefore it is considered by the Court that the Plaintiff have and recover of the defendants the sum of one hundred and twenty six Dollars principal & eighty three $\frac{47}{100}$ Dollars interest and all costs herein expended and that the same be certified to the County Court as to Defts Townes' succession and that execution ifsue against said Pascall as soon as permitted by Law. It further appearing that the cause of action draws interest at the rate of ten per cent, it is considered that this judgment draw the like interest.

+ 2175 J. R. Thomas vs R. J. Townes' Exor.

Come the parties by their attornies & waiving their right to trial by Jury. Submit this cause to the decision of the Court: and after hearing the evidence it is considered by the Court that Plaintiff J. R. Thomas recover against the estate of said R. J. Townes dec'd in the hands of said Executor the sum of Three thousand One hundred and fifty two $\frac{63}{100}$ Dollars principal and interest to this day. and interest thereon at the rate of ten per centum per annum from this day tile paid, and all the costs of this suit. And it is ordered that this judgment be certified to the County Court of this County for observance.

+ 2184 John P. Jones vs A. H. Cook & C. H. Keton

Come the Plaintiff & Deft. Cook by attorney: and waiving the right of trial by Jury, submit this cause to the decision of the Court: and defendant Keton having been duly summoned and failing to appear and answer, and this action being founded on a demand liquidated & proved by a note in writing, and the evidence being heard, it is considered by the Court that Plaintiff recover against said defendants the sum of Six hundred and eighty six $\frac{93}{100}$ Dollars principal & interest to this day, with interest thereon at the rate of 8 per cent per annum from this day tile paid and all the costs of this suit.

+ 2177 W. D. Scott vs J. T. McLaurin & A. H. Cook.

Come the parties by their attornies: and defendants' demurrer to Plaintiff's petition being heard & argued, it is considered by the Court that said demurrer be overruled and the parties waiving their right to trial by Jury. submit this cause to the decision of the Court: whereupon, the evidence being heard it is considered by the Court, that Plaintiff recover of defendants McLaurin & Cook the sum of One thousand three hundred & thirteen Dollars principal & interest to this day, with interest at the rate of ten per cent per annum from this day tile paid & all the costs of this suit, for which execution may be ifsued when allowed by Law.

Rec'd Bond in the sum of $2000 with Jno. McLaurin & A. H. Cook as securities in full of all demands of W. D. Scott vs J. T. McLaurin & A. H. Cook

+ 2186 W. A. Van Alstyne vs A. W. Terrill

Come the parties by their attornies and waiving their right to trial by Jury. submit this cause to the decision of the Court: and the evidence being heard, it is thereupon ordered adjudged and decreed by the Court that Plaintiff William A Van Alstyne do have and recover of & from defendant A. W. Terrill the sum of Four hundred & sixty seven $\frac{60}{100}$ Dollars principal & interest to this date, and interest thereon

at the rate of twelve per centum per annum from this day till paid and all the costs of this suit, for which execution may be ifsued according to law.

x ✓ 2060 W. A. Van Alstyne vs Lepus Puckett

Come the parties by their attornies, and waiving their right to trial by Jury, submit this cause to the decision of the Court: whereupon, the evidence being heard, it is ordered, adjudged and decreed by the Court that the Plaintiff William A. Van Alstyne recover of & from the defendant Lepus Puckett the sum of Two Hundred & Five 13/100 Dollars principal & interest to this day, and interest thereon at the rate of eight per centum per annum from this day till paid and all the Costs of this Suit, for which execution may be ifsued according to law.

+ ✓ 2163 Shelley & Carrington vs M. S. Davis & als

Comes Plaintiff by his attorney and on his motion it is ordered that this suit be dismifsed as to the defendants M. S. Davis & William M. Ford: and the defendants E. B. Smith & W. L. Hill having been duly summoned and failing to appear and answer, and this action being founded on a liquidated demand proved by a note in writing, ~~afsa~~ it is considered by the Court that plaintiffs recover against said defendants according to the Prayer of their petition on the execution of a writ of enquiry which is hereby awarded, to be executed forthwith: and thereupon came a Jury, to wit Arthur R. Crozier and eleven others, who being duly elected tried & sworn & having heard the evidence, arguments & charge of the Court, upon their oath rendered the following verdict, "We the Jury find a verdict in favor of the plaintiff as follows.

Debt	$ 400.00
Int.	175.47
making the sum of	$575.47

Arthr. R. Crozier Foreman."

Wherefore it is considered by the Court that Plaintiff recover against the said Defendants E. B. Smith and W. L. Hill the sum of $575.47 principal & interest, with interest thereon from this day till paid and all costs of this suit, for which execution may ifsue when allowed by Law.

+ ✓ 2173 John Oliver vs David Young & al

Come defendants by their attorney and the plaintiff failing to appear and prosecute this suit, it is ordered that this Cause be dismifsed and that plaintiff pay all the costs thereof, to be taxed.

+ ✓ 2182 C. R. Johns Guardian vs James P. Hector

By consent of parties by their attornies, it is ordered that this suit be dismifsed and that Defendant pay all the costs thereof to be taxed.

✓ 2188 John M. Steers & Co vs Williams & Shafcock

On suggestion of death of Plaintiff John M. Steers, this cause is continued.

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+ ✓ 2189 C. Krohn vs J.R. Sims et al

On motion of Plaintiff by attorney he has leave to amend his Petition: and thereupon comes Plaintiff by his attorney, and the defendants J. R. Sims & Martin W Townsend having been duly Summoned and failing to appear and answer. and this action being founded on a liquidated demand proved by a note in writing, after hearing the evidence it is considered by the Court that Plaintiff recover of said Defendants the sum of One hundred & ninety five $\frac{65}{100}$ Dollars principal and interest, with interest thereon at the rate of twelve per centum per annum from this day till paid, and all the costs of this suit, for which execution may be ifsued when allowed by Law.

+ ✓ 2190 Charles Krohn vs Hopkins & Chandler

On motion of Plaintiff by attorney he has leave to amend his Petition: and the matters of law arising upon defendants' demurrer to Plaintiff's Petition being heard & argued, it is considered by the Court, that said Demurrer be overruled: whereupon come the parties by their attorneys and waiving a Jury. Submit this cause to the decision of the Court and the evidence being heard it is considered by the Court that Plaintiff recover from said defendants Matthew Hopkins & T. W. Chandler the sum of One Hundred & Ninety six $\frac{36}{100}$ Dollars principal & interest, with interest thereon at the rate of ten per cent per annum till paid and all the costs of this suit. for which execution may ifsue when allowed by Law.

And it appearing to the Court that defendant Chandler is liable in this action as endorser only, it is ordered that in levying execution ifsued on this judgment, the Shiriff be directed to levy first on the property of Defendant Hopkins lying in this County liable to execution if a sufficiency be found and then upon the property of said Chandler for so much as may be necessary to satisfy this judgment.

✓ 2191 H. Van Buren vs W. M. Booth

On motion of Plaintiff by attorney who suggests the death of Defendant, it is ordered that this suit be revived by Scire facias against Thomas H. Duval, Executor of said Defendant: and this cause is continued.

✓ 2192 C. C. Browning dec'd vs L. S. Friend

Ordered that this cause be continued for service on defendant John S. Friend in Llano County.

✓ + 2195 C. C. Browning dec'd vs Joseph See

Come the Parties by their Attorneis, and the matters of law arising upon the Defendants demurrer to the Petition of Plaintiffs having been heard & argued, it is ordered that said Demurrer be overruled: and the parties waiving their right to trial by Jury, submit this cause to the decision of the Court: whereupon the evidence being heard, it is considered by the Court, that the Plaintiffs recover of Defendant the Sum of Four hundred Sixty eight $\frac{18}{100}$ Dollars principals & interest, with interest thereon from this day till paid at the rate of ten per centum per annum, and

all costs of this suit, for which execution may be ifsued when allowed by law

√ 2196 A. Bahn agnst &c vs P. De Cordova

On motion of Defendant by Attorney, he has leave to amend his answer in this Cause.

+√ 2219 S. S. Nichols vs W. P. De Normandie

Come the parties by their attornies & waiving their right to trial by Jury, submit this Cause to the decision of the Court: and after hearing the evidence, it is Considered by the Court that Plaintiff recover of Defendant the Sum of Five hundred & eighty Six 87/100 Dollars principal & interest with interest thereon from this day till paid at the rate of ten per centum per annum, and all the costs of this suit, for which execution may be ifsued, when allowed by law.

√ 2225 N. W. Burditt's Admrs vs J. M. Blackwell Sals

On motion of Plaintiffs by Attorney they have leave to amend their Petition: and on Suggestion of the death of J. F. Burditt one of the Administrators, it is ordered that this suit be prosecuted to final judgment in the name of Giles H. Burditt, the Surviving administrator: Whereupon Come the parties by their attornies and a Jury, to wit, Arthur R. Brozier and eleven others, who being duly elected, tried and Sworn and having heard the evidence arguments of Counsel & charge of the Court, upon their oath returned the following Verdict, "We the Jury find a Verdict for the plaintiff amounting to $ 58.05 Arth. R. Brozier. Foreman" Whereupon it is considered by the Court that Plaintiff Giles H. Burditt, Surviving Administrator of N. W. Burditt decd recover of Defendants J. M. Blackwell, A. H. Cook & Amos Morill, the Sum of Fifty eight Dollars & five cents and all Costs of this Suit, for which execution may be ifsued when allowed by Law.

√ 1978 Phillips & Smith vs Nancy H. Ragsdale

On motion of Plaintiffs by attorney they have leave to amend.

Ordered that Court be adjourned till tomorrow morning 9 o'clock

Friday. May 18th. 1866.

Court was opened according to adjournment: Hon D. B. McFarland, Judge Presiding:

√ √ 2171 D. R. D. Chesnut vs W. W. Townsend

On motion of Defendant by his attorney (Plaintiff's attorney being present & having notice thereof) it is ordered that this cause stand dismissed unless security for costs be given within the time prescribed by Law.

+√ 2206 R. M. Johnson vs W. J. Oldham & B. F. Smith.

Comes Plaintiff by Attorney, and the defendants having been duly summoned and failing to appear and answer, and it appearing to the Court that the cause of ac-

tion in this suit is a liquidated demand proved by a note in writing; after hearing the evidence it is considered by the Court that Plaintiff R.M. Johnson recover of Defendants W.S. Oldham & B.J. Smith the sum of Three Hundred and fourteen $\frac{61}{100}$ Dollars principal & interest and interest at the rate of eight per centum per annum from this day till paid and all the costs of this suit: for which execution may be ifsued when allowed by Law.

* ✓ 2210 David Chamberlain vs J. L. Peary

Comes Plaintiff by Attorney and defendant having been duly Summoned and failing to appear and answer, and this action being founded on a liquidated demand proved by a note in writing; after hearing the evidence, it is considered by the Court that Plaintiff recover of Defendant the sum of Two Hundred Fifty six $\frac{50}{100}$ Dollars principal & interest with interest thereon at the rate of eight per centum per annum from this day till paid and all the costs of this suit for which execution may be ifsued when allowed by Law.

✓ 2214 C. Spaulding vs Louis Horst

June 17. 1867. Issued Execution to Sheriff Cooper Marshal &c. Returned with all the Funds collected & paid over to C. Spaulding in full. Costs $23.80 Paid by Plaintiff. Issued July 1st 1867 & returned

Come the parties by their Attorneys & thereupon came a Jury to wit. John B. Banks & eleven others who being duly elected tried & sworn, and having heard the evidence arguments of Counsel & charge of the Court, rendered on their oath the following verdict, "We the Jury find for the plaintiff as follows:

Principal	$1500.00
5 yrs 10½ mos Int at 8%	705.00
Making the Sum of	$2205.00

John B. Banks Foreman"

Whereupon it is considered by the Court that Plaintiff C. Spaulding recover of Defendant Louis Horst the Sum of Two Thousand Two Hundred & five Dollars principal & interest, and interest at the rate of eight per Centum per annum thereon from this day till paid and all the costs of this suit for which execution may be ifsued when allowed by Law.

\+ 2215 John Vale vs Steiner & Swenson

On motion of Plaintiff by Attorney, it is ordered that this cause be dismifsed, and that Plaintiff pay all the costs thereof.

\+ 2216 John Vale vs A. J. Rose

Ordered with the consent of Plaintiff by his Attorney, that this cause be dismifsed at his costs.

✓ \+ 2221 Ostermeyer vs John H. Conner

Plaintiff failing to appear and prosecute this cause it is ordered that the same be dismifsed and that Plaintiff pay all the costs thereof.

✓ \+ 2226 Wm. Lyman vs C. L. Nitschke

On motion of Plaintiff by his Attorney, it is ordered that this cause be dismifsed at his costs.

✓ \+ 2237 Martha Mays vs Wm Gault

Plaintiff failing to appear & prosecute this cause, it is ordered that the same be dismifsed and that she pay all the costs thereof.

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2240 Uberto Ezell vs F. W. Chandler admr. &c

Come the parties by their attornies and waiving the right of trial by Jury. Submit this cause to the decision of the Court: and after hearing the parties & their evidence, it is considered by the Court that plaintiff Uberto Ezell recover of defendant F. W. Chandler, administrator of the estate of John Hemphill deceased the sum of Two hundred and Seventy $\frac{67}{100}$ Dollars, with legal interest thereon from this day till paid, to be paid by said Administrator out of said estate in due course of administration. And because Plaintiff has failed to establish the full amount of his claim against said estate, it is further considered that he pay the costs of this cause for which Execution may issue when allowed by law.

Amended fo 232-3

2244 Narcisa Moore vs James Brown

On motion of plaintiff by Attorney, the Sheriff has leave to amend his return on the citation issued in this cause; and the Cause is continued.

2267 Wm Rust vs Willis Fawcett

On suggestion of the death of Plaintiff it is ordered that this cause be revived & prosecuted in the name of his legal representative when known; & the cause is continued.

2297 Jno. D. Elliott vs S. Hart

On motion of Plaintiff by his attorney it is ordered that this cause be dismissed at his costs.

2304 F. L. Smith Admr vs A. B. Slaughter & als

On motion of Plaintiff by Attorney, it is ordered that this cause be dismissed at his costs.

2305 F. L. Smith Admr vs James L. Hobby & als

On motion of Plaintiff by Attorney, the Sheriff is permitted to amend his return on the citation issued in this cause for defendant Hobby: whereupon Come Plaintiff & defendant Weir by attorney, and waiving the right of trial by Jury, submit this cause to the decision of the Court: and defendants Hobby & Slaughter, having been duly summoned, and failing to appear and answer, and this action being founded on a liquidated demand, proved by a note in writing, after hearing the evidence it is considered by the Court that Plaintiff F. L. Smith Administrator of Israel Pickens deceased recover against defendants James L. Hobby, Augustus B. Slaughter & Albert Weir the sum of One hundred and eighty two $\frac{55}{100}$ Dollars principal & interest, with interest thereon at the rate of ten per centum per annum from this day till paid, and all the costs of this suit.

And it appearing to the satisfaction of the Court, that Defendant Weir is liable in this action only as surety of said defendant Hobby, it is ordered that upon any execution which may be issued on the above judgment, the Sheriff be directed to levy first on any property of said Hobby liable to execution situated in Travis County, & if a sufficiency be not found, then upon the property of said Weir, for so much as may be necessary to satisfy this judgment: and if said Weir shall

be compelled to pay the foregoing judgment or any part thereof, the said judgment shall not be finally discharged thereby but shall remain in force for the use of said Weir, and so much thereof as has been paid by said Weir may be prosecuted to execution for his use.

2306 F. E. Smith adm'r vs Q. J. Nichols et als

On motion of Plaintiff by his attorney the Sheriff is permitted to amend his returns on the Citations issued in this cause for defendants Nichols & Weir: whereupon comes plaintiff & defendant Weir by attorney, and waiving their right to trial by Jury. Submit this cause to the decision of the Court, and defendants Nichols and Slaughter having been duly summoned and failing to appear and answer, and this action being founded on a liquidated demand proved by note in writing, after hearing the evidence, it is considered by the Court that Plaintiff Felix E. Smith Administrator of Israel Pickens deceased recover against defendants Quilla J. Nichols, Augustus B. Slaughter & Abert Weir the sum of Four hundred & seventy $\frac{03}{100}$ Dollars principal & interest, with interest at the rate of ten per centum per annum from this day till paid and all the costs of this suit. ——— And because it appears to the satisfaction of the Court that defendant Weir is liable in this action only as surety of said Nichols, it is ordered that in levying execution issued upon this judgment, the Sheriff be directed to levy first on the property of said Nichols, + Slaughter liable to execution situate in Travis County, and if a sufficiency be not found, then upon the property of said Weir for so much as may be necessary to satisfy this judgment: and if said Weir shall be compelled to pay the foregoing judgment or any part thereof, the said judgment shall not be finally discharged thereby, but shall remain in force for the use of said Weir, and so much thereof as has been paid by said Weir may be prosecuted to execution for his use.

2307 F. E. Smith adm'r vs Abert Weir et als

On motion of Plaintiff by attorney, the Sheriff has leave to amend his return on the citations issued in this cause: whereupon came Plaintiff & Defendant Weir by their attornies & waiving the right to trial by Jury. Submit this cause to the decision of the Court: and defendants Slaughter & Pruitt having been duly summoned and failing to appear and answer, and this action being founded on a liquidated demand proved by note in writing, after hearing the evidence, it is considered by the Court that Plaintiff Felix E. Smith administrator of Israel Pickens dec'd recover against defendants Abert Weir, Augustus B. Slaughter & John T. Pruitt the sum of Two hundred & fifty Six $\frac{70}{100}$ Dollars principal & interest, with interest thereon at the rate of ten per centum per annum from this day till paid and all the costs of this suit.

2310 Frank Brown adm'r dc vs John S. Ford et als

Come plaintiff & defts whites by attorneys and defendants John S. Ford and Addie A. Ford having been duly summoned by publication & failing to appear and answer, it is considered

by the Court. that Plaintiff recover against said Defendants John S. Ford & Addie N. Ford, according to the prayer of his petition upon the execution of a writ of enquiry, which is hereby awarded, to be forthwith executed: and thereupon came a Jury. to wit. John B. Banks and eleven others, who being duly elected tried and Sworn and having heard the evidence, to wit, the note on which this action is founded. filed among the Papers of the Cause, and the evidence of Frank Brown. who testified that defendant White signed said note as the security only of his Co-obligors Addie N. Ford & John S. Ford, (which was all the evidence in the cause) upon their oath rendered the following verdict, "We the Jury find for plaintiff as follows:

Principal —	$100.00
2 yrs 2 mos & 16 days int.	17.70
making the Sum of	$117.70

with Vendors lien on the property described in Plaintiffs Petition. Also that Geo W. White is security —— Jno. B. Banks. Foreman."

Whereupon it is considered by the Court that Plaintiff Frank Brown. Administrator of L. J. Courtney deceased recover against defendants Addie N. Ford. John S. Ford and George W. White the Sum of One Hundred and Seventeen $\frac{70}{100}$ Dollars principal & interest, and interest thereon at the rate of Eight per centum per annum from this day till paid, and all the costs of this Suit.

And it appearing to the Court from the Verdict of the Jury. that the note which is the foundation of this Suit was given for the purchase money of Lots Numbers One and Two in Block One hundred & fifty one, in the City of Austin, and constitutes a lien thereon for the amount of said note, it is further ordered by the Court that the Vendors lien aforesaid be foreclosed, and that (whenever Executions are allowed by Law,) the Clerk of this Court issue to the Sheriff of this County an Order of Sale, commanding him to Sell the said lots Number One & Number Two in Block One Hundred and fifty one in the City of Austin, as under Execution according to Law, and to apply the proceeds of such Sale to the Satisfaction of this judgment, and if there be any Surplus remaining, to pay the same to said defendants Addie N. & John S. Ford; and if the proceeds of said Sale be insufficient to Satisfy said judgment, Execution may be issued for the residue.

And it appearing to the Court from the Verdict of the Jury. that said G. W. White is liable in this action only as security for said Defendants Addie N. Ford and John S. Ford, it is ordered that, in levying any execution issued on this judgment, the Sheriff be directed to levy first on the Property of said Addie N. Ford & John S. Ford liable to execution Situate in Travis County, and if a Sufficiency be not found, then upon the property of said White for so much as may be necessary to Satisfy said judgment: and if said White shall be compelled to pay said judgment or any part thereof, the said judgment shall not be finally discharged thereby, but shall remain in force for the use of said White, and so much thereof as may have been paid by said White may be prosecuted to execution for his use against his Co. obligors.

Ezell ⁊ F. W. Chandler Adm. &c

Ordered that the judgment entered in this

Cause on this day, be amended by striking therefrom the last sentence thereof, adjudging the costs against Plaintiff, and by inserting therein after the words "with legal interest thereon from this day till paid" the following words, "and all the costs of this suit." And it is further ordered that said Judgment so amended be certified to the County Court of Travis County for observance.

✓ 2312 J. W. Steiner vs John S. Ford &c

Comes plaintiff by his Attorney, and on his motion, the Sheriff has leave to amend his return on the Citation in this cause: and it appearing to the Court that Defendant Ford has been duly Summoned by publication, and said Defendant failing to appear and answer, it is considered by the Court that Plaintiff recover against said Defendant according to the prayer of his petition, upon the execution of a writ of enquiry which is hereby awarded.

✓ 2318 Pauline Taylor vs James Taylor

T. B. Sneed & F. Carlton Esqrs. are by the Court appointed to defend in this suit.

✓ 2321 R. M. Castleman vs Rogers & Morrill

On motion of Plaintiff by his attorney, he has leave to amend his petition filed in this cause.

✓ 2324 R. M. Castleman vs Robards & Carr

Comes Plaintiff by his Attorney, and on his motion, he has leave to amend his Petition: and it appearing to the Court that defendant Carr has been duly summoned and he failing to appear and answer, it is considered by the Court that Plaintiff recover against him according to the prayer of his Petition on execution of a writ of Enquiry which is hereby awarded.

✓ 2358 F. W. Schandler vs J. D. Buchanan

On motion of Plaintiff by Attorney he has leave to amend his Petition.

✓ 2369 Hotchkiss, Fenner & Bennett vs S. Sampson et al

Come the Plaintiffs by their Attorneys and it appearing to the Court, that the defendants have been duly Summoned, and they failing to appear and answer, after hearing the evidence it is considered by the Court that Plaintiffs Joseph T. Hotchkiss, Thomas Fenner & Henry Bennett, under their firm name of Hotchkiss, Fenner & Bennett recover against defendants S. Sampson and George W. Sampson the Sum of One thousand seven hundred & forty 12/100 Dollars principal & interest with interest of the rate of eight per cent per annum from this day till paid and all the costs of this suit. for all which execution may be issued when allowed by law.

June 2 1866 This judgment is satisfied in full with interest Schandler & Turner by O. H. Allen Atty see order on file in this case Reburn

✓ 2400 Kenner Rector vs Lemy V. Ezell

Ordered that this cause be continued for service

✓ 2419 Wm A. Blair vs R. D. Carr et al

Comes plaintiff by Attorney, and it appearing to the Court that defendants have been duly summoned & they failing to appear and answer, and that this action is founded upon a liquidated demand proved by a note in writing, after hearing the evidence it is considered by the Court that Plaintiff W. A. Blair re-

cover against defendants R. D. Carr & F. W. Chandler the sum of Two hundred and eighty $\frac{49}{100}$ Dollars principal & interest with Interest thereon from this day till Paid and all the Costs of this Suit. for all which execution may be ifsued when allowed by Law:

And it appearing to the Court that F. W. Chandler is liable in this action only as endorser on the note of Defendant Carr, it is ordered that the Sheriff be directed, in levying any execution ifsued upon this judgment to levy first upon Property of said Carr situate in Travis County liable to execution, and if a sufficiency be not found, then upon so much property of said Chandler as may be sufficient to Satisfy this judgment; and if said Chandler shall be compelled to pay this judgment or any part thereof, the said judgment shall not be finally discharged thereby, but shall remain in force for the use of said Chandler, and for so much thereof as shall have been paid by said Chandler, may be prosecuted to execution for his use.

2420 Jacob T. Chandler vs Samuel Cornett et al.

Comes plaintiff by his attorney, and it appearing to the Court that Defendants have been duly Summoned and then failing to appear and answer, and that this action is founded upon a liquidated demand, proved by a note in writing, after hearing the evidence it is considered by the Court that Plaintiff Jacob T. Chandler recover against defendants Samuel Cornett & F. W. Chandler the Sum of Two hundred and twenty four Dollars & seventy eight ~~Dollars~~ cents principal & interest, with interest at the rate of eight per cent per annum from this day till paid, and all the costs of this Suit, for all which execution may ifsue when allowed by Law.

2430 J. F. Crosby vs James Dietrich

This judgment subsequently set aside as per order of Court

Comes Plaintiff by attorney, and it appearing to the Court that defendant has been duly Summoned and he failing to appear and answer, and that this action is founded on a liquidated demand proved by a note in writing, after hearing the evidence it is considered by the Court that plaintiff J. F. Crosby recover against Defendant James Dietrich the sum of Two hundred & twenty one $\frac{69}{100}$ Dollars principal & interest with interest thereon at eight per Cent per annum till paid and all costs of this Suit, for all which execution may be ifsued when allowed by Law.

2434 Mary E. Payne vs Peter Colp

Comes Plaintiff by attorney, and it appearing to the Court that defendant has been duly Summoned and he failing to appear and answer, it is considered by the Court that Plaintiff recover against said defendant according to the Prayer of her petition upon proof to be made on execution of a writ of inquiry which is hereby awarded.

2440 Fredrick Jondon vs A. Kamp

Comes Plaintiff by his attorney and it appearing to the Court that defendant has been duly Summoned and he failing to appear and answer, it is considered by the Court that Plaintiff recover against said defendant according to the Prayer of his petition upon Proof to be made on the

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execution of a Writ of Enquiry, which is hereby awarded.

2444 R. A. Boyce vs R. H. Leigh & P. Williams

Come Plaintiff & defendant Williams by Attorney waiving the right of trial by Jury. Submit this cause to the decision of the Court: and it appearing that defendant Leigh has been duly Summoned and he failing to appear and answer, and this action being founded on a liquidated demand proved by a note in writing, after hearing the evidence it is considered by the Court that Plaintiff R. A. Boyce recover against defendants R. H. Leigh & P. Williams the Sum of Two hundred & eighty one 74/100 Dollars principal & interest with interest thereon from this day till paid and all the Costs of this Suit, for all which execution may issue when allowed by Law. And because it appears to the Court that Phil. Williams is liable in this action only as endorser of the note of said R. H. Leigh, it is ordered by the Court that the Sheriff be directed in levying execution issued on this judgment, to levy first on property of said R. H. Leigh situate in Travis County liable to execution, and if a sufficiency be not found, then for so much of the property of said Williams as shall be sufficient to satisfy this judgment: and if said Williams shall be compelled to pay this judgment or any part thereof, the said judgment shall not be finally discharged thereby, but shall remain in force for the use of said Williams, and for so much thereof as shall have been paid by said Williams, shall be prosecuted to execution against said Leigh for his use.

2445 A. M. White use &c vs Henry Montgomery

On motion of plaintiff it is ordered that this cause be dismissed at his costs.

2446 Thomas J. Stone vs J. H. Walker & wife

Comes Plaintiff by Attorney, and it appearing to the Court that defendants have been duly Summoned and they failing to appear and answer, it is considered by the Court that Plaintiff recover against said defendants according to the prayer of his petition upon proof to be made on execution of a writ of enquiry which is hereby awarded.

2449 W. B. Lefevre vs Hamilton & Brown:

Comes Plaintiff by Attorney, and it appearing that defendant Brown has been duly Summoned, and he failing to appear and answer, it is considered by the Court that Plaintiff recover against said defendant Brown according to the prayer of his petition upon proof to be made on execution of a writ of enquiry which is hereby awarded: and this Cause is continued for Service on defendant Hamilton.

2454 D. M. Swenson vs W. P. Mabin

Comes Plaintiff by his Attorney and it appearing to the Court that defendant has been duly Summoned and he failing to appear and answer, after hearing the evidence it is considered by the Court that Plaintiff (because this action is founded on a liquidated demand, proved by a note in writing) do recover of Defendant W. P. Mabin the Sum of One hundred and eighty eight 84/100 Dollars principal & interest, with interest at the

rate of ten per cent per annum from this day till paid and all the costs of this cause, for which execution may be ifsued when allowed by law.

V 2455 S. M. Swenson vs Jno. T. Pruitt & als

The demurrer of Defendants Duval & Paschal to the Petition of Plaintiff and the matters of law arising thereon being heard and argued, it is considered by the Court that said demurrer be overruled, to which opinion of the Court, said defendants by their attorney excepts.

V 2457 William Smyth vs Julius Schutze

Comes Plaintiff by attorney, and it appearing to the Court that defendant has been duly Summoned and he failing to appear and answer, and that this action is founded on a liquidated demand proved by a note in writing, it is considered by the Court, after hearing the evidence, that Plaintiff William Smyth recover against defendant Julius Schutze the sum of three hundred & seventy three $\frac{33}{100}$ Dollars, with interest thereon at the rate of ten per centum per annum till paid and all the costs of this suit, for all which execution may ifsue when allowed by Law.

V 2460 S. M. Swenson vs Wm Custard

Comes plaintiff by Attorney and it appearing to the Court that defendant has been duly Summoned, and he failing to appear and answer, and that this action is founded on a liquidated demand proved by a note in writing, after hearing the evidence it is considered by the Court that Plaintiff S. M. Swenson recover against defendant Wm Custard the Sum of Five hundred and Seventy Seven $\frac{01}{100}$ Dollars principal & interest, with interest thereon at the rate of ten per centum thereon from this day till paid & all the costs of this suit: for all which execution may ifsue when allowed by law.

V 2461 S. M. Swenson vs W. C. Pitts

Comes Plaintiff by attorney & it appearing to the Court that defendant has been duly summoned and he failing to appear and answer, and that this Action is founded on a liquidated demand proved by a note in writing, after hearing the evidence, it is considered by the Court that Plaintiff S. M. Swenson recover against defendant W. C. Pitts the Sum of two hundred thirty two Dollars principal and interest with interest thereon at the rate of ten per cent per annum from this day till paid and all the costs of this suit, for all which execution may be ifsued when allowed by Law.

V 2462 S. M. Swenson vs S. T. Smith

Comes Plaintiff by attorney & it appearing to the Court that defendant has been duly Summoned and he failing to appear and answer, and that this action is founded on a liquidated demand proved by a note in writing, after hearing the evidence it is considered by the Court that Plaintiff S. M. Swenson recover against defendant S. T. Smith the Sum of One hundred and ninety four $\frac{34}{100}$ Dollars principal & interest, with interest thereon at the rate of ten per centum per annum from this day until paid, and all the costs of this suit for which execution may ifsue when allowed by Law.

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2465 Mary N Buckner vs Thomas N Buckner

W. P. De Normandie Esq. is by the Court appointed to defend in this cause.

2468 John F. Smith vs L. E. Ware et als

Comes plaintiff by his attorney, and the defendant L. E. Ware having been duly Summoned, & failing to appear and answer it is considered by the Court that Plaintiff recover against her according to the prayer of his Petition upon proof being made on execution of a Writ of enquiry, which is hereby awarded. And on motion of Plaintiff it is ordered that this suit be dismissed as to the other defendants Andrew Ware & F. W. Chandler, and that they go hence thereof without day.

2469 John F. Smith vs Thompson, Brown & Hamilton

Comes plaintiff by his attorney, and defendant N Brown being duly Summoned and failing to appear and answer, it is considered by the Court that Plaintiff recover against said defendant Brown upon proof to be made on execution of a writ of enquiry, which is hereby awarded: and this cause is continued for Service on the other defendants.

2471 J. M. Steiner vs W. L. Chalmers & wife.

On Suggestion of the death of defendant Mary J. Chalmers, it is ordered that this cause be revived against her legal representatives when Known; and the cause is continued for Service

2478 John H. Robinson vs John W. Brunton

Comes plaintiff by Attorny and it appearing to the Court that defendant has been duly Summoned & he failing to appear and answer, and this action being founded on a liquidated demand proved by note in writing, after hearing the evidence, it is considered by the Court that plaintiff John H. Robinson recover against defendant John W. Brunton the Sum of One hundred & forty two $\frac{55}{100}$ Dollars, with interest thereon at the rate of ten per centum per annum from this day till paid and all costs of this suit, for all which execution may issue when allowed by law.

2473 Forbes & Ballard vs William G. Maynard

Come Plaintiffs by attorney, and defendant having been duly Summoned and failing to appear and answer, and this action being founded on a liquidated demand proved by a note in writing, after hearing the evidence it is considered by the Court that Plaintiffs R. M. Forbes & C. N. Ballard under their firm name of Forbes & Ballard, recover against defendant William G. Maynard the sum of Three hundred & thirty four $\frac{27}{100}$ Dollars with interest thereon at the rate of ten per centum per annum from this day until paid and all the costs of this suit, for which execution may be issued when allowed by law. And it is ordered that Plaintiffs have leave to withdraw said note, leaving a certified thereof instead

2443 Wm A. Blair vs W. H. Coulson et al

Come the Plaintiff & defendant F. W. Chandler by Attorney waiving the right of trial by Jury, submit this cause to the decision of the Court: and defendant Coulson having been duly Summoned and failing to appear and answer, and this action being founded on a liquidated demand proved by a note in writing, after hearing the evidence it is considered by the Court that Plaintiff William A. Blair recover against

said defendants William H. Coulson and F.W. Chandler the sum of Two Hundred & eighty $\frac{49}{100}$ ——— Dollars principal & interest, with interest thereon at the rate of eight per cent per annum from this day till paid and all the costs of this suit, for all which execution may issue, when allowed by law.

√ 2481 M. E. Kingman vs B. P. Hollingsworth & als

On motion of Plaintiff, he has leave to amend his Petition.

√ 2488 Watson Freeman vs E. S. Berry

Comes Plaintiff by his attorney and defendant having been duly summoned & failing to appear & answer, and this action being founded on a liquidated demand proved by a note in writing, after hearing the evidence it is considered by the Court that Plaintiff Watson Freeman recover against defendant E. S. Berry the sum of Three hundred & twenty two 78/100 Dollars, with interest thereon at the rate of ten per centum per annum from this day till paid & all the costs of this suit, for which execution may issue when allowed by Law.

√ 2495 John V Bremond vs Isaac Hammitt

Comes Plaintiff by Attorney and defendant having been duly summoned and failing to appear and answer, and this action being founded on a liquidated demand proved by a note in writing, it is considered by the Court that plaintiff John V Bremond recover against defendant Isaac Hammitt the sum of Nine hundred & two $\frac{71}{100}$ Dollars, with legal interest thereon at the rate of ten per cent per annum from this day till paid and the further sum of Five hundred & forty eight $\frac{12}{100}$ Dollars with legal interest thereon at the rate of twelve per cent per annum from this day till paid and all the costs of this suit, for all which execution may be issued when allowed by Law.

√ 2497 R. A. Rutherford vs C. V. Izzell & Wm R. Baker

Comes plaintiff by attorney and defendants having been duly summoned & failing to appear & answer. it is considered by the Court that plaintiff recover against said defendants upon proof to be made on execution of a Writ of enquiry which is hereby awarded.

√ 2499 P. De Cordova vs T. D. Mosely

On motion of Plaintiff by attorney he has leave to amend his petition.

√ 2506 F. W. Chandler vs Gavl Clapcock

Comes plaintiff by attorney and defendant having been duly summoned & failing to appear and answer, it is considered by the Court that Plaintiff recover against said defendant according to the prayer of his petition, upon proof to be made on execution of a Writ of Enquiry which is hereby awarded.

√ 2509 David Eppright vs Joseph Bernhart

Comes plaintiff by attorney and defendant having been duly summoned & failing to appear and answer, and this action being founded on a liquidated demand proved by a

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note in writing after hearing the evidence, it is considered by the Court that Plaintiff David Eppright recover against defendant Joseph Barnhart the sum of Three hundred & fifteen $\frac{70}{100}$ Dollars with interest thereon at the rate of eight per centum per annum from this day till paid and all the costs of this suit: for all which execution may be ifsued whenn allowed by Law.

2510 Gillespie Morgan & Co vs Walker Wilson & Mina Wilson

Come Plaintiffs by attorney and defendants having been duly summoned & failing to appear and answer, and this action being founded on a liquidated demand proved by a note in writing, it is considered by the Court that plaintiffs James H. Gillespie, Charles Morgan and H. S. Morgan under their firm name of Gillespie Morgan & Co. recover against defendants Walker Wilson & Mina Wilson the sum of Two hundred & Seventy Dollars with interest thereon at the rate of ten per centum per annum from this day till paid and all the costs of this suit. for which execution may ifsue when allowed by Law.

2511 John H. Robinson vs J. L. Peay

Comes plaintiff by attorney and defendant having been duly summoned and failing to appear and answer, it is considered by the Court that Plaintiff recover against said defendant according to the Prayer of his petition on proof being made on execution of Writ of Enquiry which is hereby awarded.

2512 Geo. W. Sampson vs P. H. Raiford

Comes Plaintiff by attorney and defendant being duly summoned, and failing to appear and answer, and this action being founded on a liquidated demand proved by a note in writing, it is considered by the Court (after hearing the evidence that plaintiff recover against said defendant the sum of Two hundred & Sixty six $\frac{40}{100}$ Dollars, with interest thereon at the rate of eight per cent per annum from this day and all costs of suit for which execution may be ifsued when allowed by Law.

Ordered that Court be adjourned till tomorrow morning 9 O'clock

Saturday, May 19th 1866.

Court was opened according to adjournment. Hon. I. B. McFarland, Judge, presiding;

1539 R. Williamson et al vs S. W. Blount et als

On motion of Plaintiff by attorney, it is ordered that S. H. Luckett, John J. Sneed & Felix Smith be appointed Commissioners to make partition as directed by a former order of this Court, in the peace of the Commissioners heretofore appointed; and said Commissioners are directed to report their procedings herein to this Court at the next term till when this cause is continued.

1986 Hanford & Browning vs Glapcock & Millican

Comes defendant Glapcock by attorney and moves the Court to set aside the judgment hereto-

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fine rendered in this cause at the present Term and grant him a new trial; on consideration whereof it is ordered that said motion be overruled: to which opinion of the Court said Defendant excepts and in open Court gives notice of appeal to the Supreme Court.

V 2185 F. C. Stewart adm'r &c vs C. L. Nitschke

Comes defendant by attorney and moves the Court to quash the service in this cause; and after hearing the argument, it is considered by the Court that said motion be overruled.

945 S. W. Dunson pro ad vs J. A. Burditt

1993 J. Bledsoe adm'r &c vs P. W. Humphreys &c

2038 J. H. Lightfoot Sur vs W. C. Lightfoot

2159 Sampson & Hemicks vs L. S. Berry

2168 A. Hedgecoxe vs Wm Oliphant Sals

2169 A. Hedgecoxe vs R. H. Simmons Sals

2180 Prot. Allan vs Geo. Flournoy Sal

2181 Ellen Duval vs J. M. Bennett Sals

2183 Ellen Duval vs W. T. Dyer Sal

2187 John A Caldwell vs William Fowler

For reasons appearing to the Court it is ordered that the above named causes be severally Continued.

2199 The State of Texas vs John Baker

2200 Same vs W. R. Poag Sals

2201 Same vs R. H. Coumby Sals

2202 Same vs R. H. Coumby Sals

2203 Same vs R. H. Coumby Sals

2205 Same vs John H. Conner Sals

Ordered that these causes be continued for service.

2204 The State of Texas vs Alf. Robinson & John Burlage

It appearing to the satisfaction of the Court that the defendants are dead, on motion of the District Attorney it is ordered that this cause be dismissed.

2211 Thompson P. Redding vs D. H. Coleman

1426 Sampson & Hemicks vs Josiah Fisk &c

For reasons appearing to the Court it is ordered that these causes be continued.

2213 The State of Texas vs R. P. Boyce Sals

On motion of the District attorney it is ordered that this cause be dismissed.

2220 William Jones vs D. E. Watrous

2222 Mitchell & Sperry vs Jasper L. Holman

2228 Alfred Ten Eyck vs Henry & Hamilton

2229 A. B. Mc Gill vs Henry & Hamilton

For reasons appearing to the Court it is ordered that these causes be continued

2232 Elizabeth Rapp vs John M. Rapp.

For reasons appearing to the Court, it is ordered that this cause be dismissed, and that defendant pay all the costs thereof to be taxed.

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126 41 8 V 2247 F. T. Duffau vs A. J. Hamilton

On motion of Plaintiff by attorney, the Sheriff of this County is permitted to amend his return on the citation ifsued in this cause; and by Consent of parties, this cause is continued

V 2248 R. J. Townes vs A. J. Hamilton

On motion of Plaintiff by attorney, the Sheriff of this County is permitted to amend his return on the Citation ifsued in this cause: and by Consent of parties, this cause is continued

V 2263 Aaron Bailey vs Mark Grigsby

V 2265 Caroline Stetwell vs J. Fisk

V 2272 S. Holland vs J. F. Johnson Sal Exfas &c

V 2273 J. J. Myers vs Geo. W. White & als

For reasons appearing to the Court. it is ordered that these causes be continued.

V 2285 Anis Sampley vs David B. Sampley

Comes Plaintiff by her attorney and George R. Scott. Esq. who has been heretofre appointed by the Court to defend this suit: and the matters of law arising upon the Demurrer filed on behalf of the defendant being heard & argued, it is considered by the Court that said Demurrer be overruled: and it appearing to the Court that said Defendant has been duly Summoned by publication according to Law, and he failing still to appear and answer, thereupon came a Jury, to wit, John H. Robinson and eleven others, who being duly elected tried & Sworn, and having heard the evidence, which is as follows, "It was proven by Plaintiff that she & defendant were married in the County of Caldwell in the State of Texas sometime in the month of May 1861 - that defendant lived with Plaintiff about one month and then left her, declaring that he did not intend to return: that Defr left the Plaintiff without any money, property or means of support, and that she was left upon the charities of her friends and that Defr had not returned since he left and had not been heard from since that time: that at the institution of this suit, she lived in the County of Travis, and that while Defr lived with Plff, she treated Defr Kindly, as was her duty as wife of Defr," the said Jury returned the following verdict, "We the Jury find the allegations set forth in the within petition to be true. John H. Robinson Foreman" Wherefore it is considered by the Court, that the bonds of matrimony heretofre existing between defendant David B. Sampley and Plaintiff Anis Sampley be and the same are hereby dissolved and the said parties divorced therefrom; and that Plaintiff recover against defendant all the costs of this suit, for which execution may be ifsued when allowed by law.

The Grand Jury appeared again in Court and presented

1615 An Indictment against Sanford Dofs. for Theft of a Cloak:
1616 An Indictment against Jerry Rector, for theft of three horses.
1617 An Indictment against P. Golden for Arsenic & Battery
1618 An Indictment against Rusty Alexander (fm) for Theft of Corn
1619 An Indictment against Jo Luxinger for theft of Beef Steer.

And not having finished their business, retired to their apartments

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2291 The State of Texas vs Wm Hudson & als
2292 Same vs James Lucksinger & al

On motion of District attorney, it is ordered that these causes be dismissed.

2296 The State of Texas vs Frank (Mexican)

The District attorney, by leave of the Court saith he will no further prosecute this cause: and it is ordered that the same be dismissed.

√ 2303 F. E. Smith Adv. vs J. Hughes et al

The matters of law arising upon the Demurrer of Deft Hughes to Plaintiff's Petition being heard & argued it is considered by the Court that the said demurrer be overruled.

√ + 2302 F. E. Smith Adm vs Turner & Davis

On motion of Plaintiff by Attorney, the Sheriff has leave to amend the return on the Citation for defendant Turner: whereupon comes Plaintiff by Attorney, and it appearing that Defendants have been duly summoned, and they failing to appear & answer: and this action being founded on a liquidated demand in writing, after hearing the evidence, it is considered by the Court that Plaintiff F. E. Smith Adm of Israel Pickens dec'd recover against defendants W. W. Turner & Jenkins Davis the sum of Two hundred & Ten $\frac{03}{100}$ Dollars with interest thereon from this day until paid at the rate of ten per centum per annum, and all the costs of this suit: for all which execution may be issued when allowed by Law.

√ 2320 R. M. Castleman vs Black & Morrill

Ordered that this cause be continued that the Service may become perfect.

√ 2332 Randon & Co vs J. Harrell

By consent of Parties, it is ordered that this cause be dismissed, the costs having been paid by defendant.

√ 2333 John T. Allan vs Geo. M. Flournoy & al:

For reasons appearing to the Court it is ordered that this cause be continued.

√ + 2345 George Saunders vs W. Y. McFarland & al

Comes Plaintiff by his Attorney and the defendants having been duly summoned and failing to appear and answer and this action being founded on a note in writing showing a liquidated demand, after hearing the evidence it is considered by the Court, that Plaintiff George Saunders recover against Defendants W. Y. McFarland and S. M. Wright the sum of Three Hundred & Seventy Six $\frac{66}{100}$ Dollars, with interest thereon from this day till paid, and all the costs of this suit, for all which execution may be issued when allowed by Law.

√ + 2370 John Bremond vs D. L. Crofs

Comes Plaintiff by Attorney, and defendant having been summoned and failing to appear and answer, and this action being founded on a note in writing showing a liquidated demand, after hearing the evidence, it is considered by the Court that Plaintiff John Bremond recover against defendant D. L. Crofs the sum of Two hundred

and thirty five $\frac{46}{100}$ Dollars. with interest at the rate of ten per centum per annum thereon from this day until paid and all the costs of this suit; for which execution may be issued when allowed by Law.

2371 Thomas Freeman vs Josiah Fisk

On motion of Plaintiff by Attorney he has leave to amend his petition.

2416 D. A. & G. W. Paschal vs W. G. Lane et al

Ordered that this cause be continued for service.

2417 John A. Lawrence et al vs Anne M. Smith et al

This cause stands continued by operation of Law.

2424 Geo. & Edwin Booth vs Leon Make et al

Ordered that this cause be continued for service.

2428 W. A. Blair vs M. Casner et al

By agreement of Parties, it is ordered that this cause be continued.

2433 Alfred Smith vs James Humphrey

This cause stands continued by operation of Law.

2435 S. M. Swenson vs Wm D. Patten

For reasons appearing to the Court, it is ordered that this cause be continued.

2436 Rector & Anderson vs Carl Krohn

2447 N. G. Shelley vs Rapp & Thompson

2448 Ch. L. Robards vs Rapp & Thompson

Ordered that these causes be continued for service.

2458 John Caldwell vs S. M. Swenson

For reasons appearing to the Court, it is ordered that this cause be continued.

2468 John F. Smith vs L. E. Ware et als:

On motion of Plaintiff by attorney, it is ordered that the dismission of this cause as to defendants Andrew Ware & F. W. Chandler entered therein on yesterday, be set aside and the cause reinstated as to them and continued for service on defts Ware.

2470 Martin W. Townsend vs Jno. J. Beech

On motion of Plaintiff by Attorney, the Sheriff of this County is allowed to amend his return on the citation issued to him in this cause: and the cause stands continued by operation of Law.

2472 P. M. Steiner vs W. L. Chalmers

2475 Geo. Hancock vs W. B. Coffee et als

2477 Griffith Wyatt & Co vs Adams & Goodrich

2484 S. M. Swenson vs W. D. Thompson

2485 S. M. Swenson vs H. W. Raglin

2489 Geo. S. Turner vs D. Litton et als

Ordered that these causes be continued for service.

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√V 2490 Geo. F. Turner vs B. F. Grock dec, Exor &c et als
On motion of Plaintiff by his attorney,
it is ordered that this cause be dismissed at his costs.

√V 2492 Amelia Brichta vs James Caulfield et al
On motion of Plaintiff by Attorney, she
has leave to amend her petition.

√V 2504 J. C. Higgins vs R. A. Rutherford et al

√V 2505 Goldfrank, Frank & Co. vs R. A. Rutherford
Ordered that these causes be continued
for service.

Ordered that Court be adjourned
till Monday morning 9 O'clock

Monday. May 21st 1866.

Court was opened according to adjournment:
Hon. I. B. McFarland, Judge, presiding.

√V 2420 Jacob T. Chandler vs Saml. Cornett & F. W. Chandler.
By consent of Plaintiff and defendant
Chandler, it is ordered that the judgment entered in this cause on
the 18th instant be set aside; and thereupon came Plaintiff by Attor-
ney and Defendant Chandler in person, and waiving the right of
trial by Jury; submit this cause to the decision of the Court: and
defendant Colston having been duly summoned and failing to
appear and answer, and this action being founded on a note in
writing showing a liquidated demand, after hearing the evidence,
it is considered by the Court, that Plaintiff Jacob W. Chandler
recover against defendants Samuel Cornett & F. W. Chandler the
sum of Two Hundred & twenty four 84/100 Dollars, with interest thereon
at the rate of eight per cent per annum from this day till
paid and all the costs of this suit: for all which execution
may be issued when allowed by Laws. — And it appearing to
the Court that defendant Chandler is liable in this action only
as endorser on the note of defendant Cornett, it is ordered that
in levying execution issued on this judgment, the Sheriff be directed
to levy first on the Property of said Cornett situate in Travis County
liable to execution, and if a sufficiency thereof be not found, then
on the property of said Chandler for so much as may be sufficient
to satisfy the foregoing judgment: and if said Chandler shall
be compelled to pay any portion of this judgment, the said
judgment shall not thereby be finally discharged, but shall
remain in force against said Cornett for the benefit of
said Chandler, and for so much thereof as he shall have
paid, may be prosecuted to execution for his use.

√V 2443 Wm A. Blair vs W. H. Coulson et al:
Because it appears to the Court that
in this cause defendant F. W. Chandler is liable only as endorser
on the note of defendant Colston, it is therefore ordered that the
Sheriff be directed, in levying execution issued on the judgment in this cause entered on the 18th instant
to levy first on property of said defendant Coulson situate
in this County liable to execution, and if a sufficiency be
not found, then upon the property of said Chandler for so

much as may be sufficient to satisfy said judgment: and if said Chandler shall be compelled to pay said judgment or any part thereof the said judgment shall not thereby be finally discharged, but remain in force for the use of said Chandler against his co-defendants, and for so much of said judgment as shall have been paid by said Chandler may be prosecuted to execution for his use.

1620 L. D. Carrington 1 Co. vs Sherman Cade & Radcliff Platt, garnishee

Come Plaintiffs & Garnishee Platt by attorney, and waiving the right of trial by Jury. Submit the matters in controversy between them to the Court: and after hearing them & the evidence & considering the answer in garnishment of said Platt, it is adjudged, ordered & decreed that Plaintiffs recover against said Garnishee the sum of One hundred & thirty four $\frac{98}{100}$ Dollars with interest thereon at the rate of eight per cent per annum from this day till paid: for which execution may be issued when allowed by Law. And said amount when collected, shall be applied to the discharge of the judgment against defendant Case:

And now, (this being the day heretofore appointed for that purpose, the Court proceeded to call the Criminal docket when the following proceedings were had, to wit:

111 The State of Texas vs Andrew Jackson

143 Same vs M. Needham

477 Same vs J. M. Norris

576 Same vs T. B. Beck

1235 Same vs W. C. Leggett

1317 Same vs J. H. Esmond

1351 Same vs P. Henn

1382 Same vs A. Schamberlin

1352 Same vs Jefs. Graham dals

1468 Same vs John Martin

Ordered that these causes be continued for service.

1156 The State of Texas vs W. Sauers

For reasons appearing to the Court it is ordered that this cause be continued.

1469 The State of Texas vs Lee (a slave)

The District Attorney, by leave of the Court saith he will no further prosecute this cause: whereupon it is ordered that the same be dismissed and that defendant Lee go hence thereof without day.

1470 The State vs D. D. Young

On motion of the District Attorney & for reasons appearing to the Court from his statement, it is ordered that this cause be continued.

1531 The State vs Shadrach a slave

It appearing to the satisfaction of the Court that the defendant is dead, it is ordered that this cause be dismissed.

1567 The State vs Joseph Henry:

On motion of the District Attorney

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it is ordered that this cause be dismissed:

1568 The State vs Joseph Berry

On motion of the District attorney, it is ordered that this cause be dismissed.

1489 The State vs J. Hurley

1528 Same vs J.M. Rapp & B. Thompson

1569 Same vs J.K. Malone

1570 Same vs J.K. Malone

1572 Same vs Dick (freedman)

1573 Same vs Dick (freedman)

1574 Same vs Dick (freedman)

1578 Same vs Dick (freedman)

1579 Same vs Antone Nepgin

Ordered that these causes be continued for Service.

1571 The State vs J.H Lightfoot & als

On motion of the District attorney, it is ordered that this cause be continued

1577 The State vs John Pruitt & als.

Comes the District attorney and the defendants by their Attorney, and the matter of law arising upon the exceptions of defendants to the Indictment filed in this cause being heard & argued, it is considered by the Court that said Indictment be quashed and that defendants be discharged and go hence thereof without day.

1580 The State vs Jerry (freedman)

1581 Same vs Jim (" ")

1583 Same vs Lynch

1584 Same vs Watson Dibrell

1586 Same vs B. H. H. Butts

1587 Same vs W. Dibrell

Ordered that these causes be continued for service.

1585 The State vs E. Payton & als

Ordered that the amount of the Bail bond for James Moore one of the defendants in this cause, be fixed at Two hundred & fifty Dollars; and that by consent of parties this cause be continued.

1588 The State vs Milam Duty

1589 Same vs Thos W. Ward

1591 Same vs Ben Hines & al

1592 Same vs Wm Boyd

Ordered that these causes be continued for Service.

1590 The State vs J.W. Bonner & als

On motion of the District attorney and for reasons appearing to the Court from his statement, it is ordered that this cause be continued.

1593 The State vs James Sims

The District attorney, with leave of the Court, saith he will no further prosecute this cause: whereupon it is ordered that the same be dismissed and that defendant be discharged & go hence without day.

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1594 The State vs Josiah Hudson dat
On the affidavit of defendant, it is ordered that attachment be issued to Fayette County for J.S. Hudson, witness for defendants: and on motion of District Attorney, and for reasons appearing to the Court from his statement, it is ordered that this cause be continued.

1595 The State vs J. B. Clifton
1596 " Same vs Joseph Jackson
1598 " Same vs Cyprus Puckett
1599 " Same vs Peter (a Mexican)
1601 " Same vs Henry Coleman
Ordered that these Causes be continued for Service.

1597 The State vs —— Goodman
By agreement of parties it is ordered that this cause be continued.

1605 The State vs John Henry Brown dat als
1607 " Same vs Pleasant Turner dat al
Ordered that these causes be continued for Service.

1608 The State of Texas vs Sanford Dolf
Comes the District Attorney and the defendant was placed at the Bar in custody of the Sheriff: and the defendant by his Attorney having excepted to the Indictment filed against him in this Cause, the matters of law arising upon said exceptions being heard & argued, it is considered by the Court that said exceptions be overruled, to which opinion of the Court, the defendant by his Attorney excepts: and thereupon the said defendant pleaded "Not guilty": whereupon came a Jury, to wit, Ernst Raven, Eugene Brimond, T. M. Warren, J. G. Billingsley, John H. Robinson, E. S. Berry, C. Behnke, B. O. Staveley, A. H. Millican, J. M. Mansfield, D. D. Bonner and J. B. Perry, who being duly elected, empaneled, tried and sworn a true verdict to render between the State and the prisoner according to law and the evidence, and having heard the evidence, arguments of Counsel & charge of the Court, upon their oath rendered the following Verdict, "We the Jury find the defendant Not guilty - Ernst Raven, Foreman" Wherefore it is considered by the Court that this cause be dismissed & that said defendant be acquitted and discharged and go hence thereof without day.

1610 The State of Texas vs Lem. Risher
The defendant having no Counsel and declaring himself too poor to employ Counsel, A. S. Walker & J. W. Smith Esquires are appointed by the Court to defend him in this behalf.

1611 The State of Texas vs Dick — (freedman)
The defendant having no Counsel and declaring himself too poor to employ Counsel, L. G. Sneed Jr and B. Davis Esquires are appointed by the Court to defend him in this behalf.

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1616 The State of Texas vs Jerry Rector (pauper)
for Larceny.
Ordered that this cause be continued

Ordered that Court be adjourned till tomorrow morning 9 O'clock.

X

Tuesday. May 22d 1866

Court was opened pursuant to adjournment:
Present the same Judge as on yesterday.

✓X 2464 J. F. Crosby vs Edward Harrington
Comes Plaintiff by his attorney, and defendant having been duly summoned and failing to appear and answer, and this action being founded on a liquidated demand, proved by two notes in writing, after hearing the evidence, it is considered by the Court that Plaintiff J.F. Crosby recover of defendant Edward Harrington the sum of Eight hundred & fifty four $\frac{34}{100}$ Dollars, with interest thereon at the rate of ten per centum per annum from this day till paid and all costs of this suit to be taxed: for all which execution may be issued when allowed by law.

✓✓ 2474 George Hancock vs W.P. Sharp
Comes Plaintiff by his attorney and defendant having been duly summoned and failing to appear and answer, and this action being founded on a liquidated demand proved by a note in writing, after hearing the evidence it is considered by the Court that Plaintiff George Hancock recover of defendant W.P. Sharp the sum of Two hundred and ninety six $\frac{76}{100}$ Dollars, with interest thereon at the rate of Twelve per cent per annum from this day till paid, and all the costs of this suit, for which execution may be issued when allowed by law.

✓
✓X 2508 J. F. Crosby vs A.P. Blocker
Comes Plaintiff by attorney & defendant having been duly summoned and failing to appear & answer: and this action being founded on a liquidated demand proved by a note in writing, and the evidence being heard, it is Considered by the Court that Plaintiff J.F. Crosby recover of defendant A.P. Blocker the sum of Three hundred & Six Dollars with interest thereon at the rate of ten per centum per annum from this day till paid & all the costs of this suit: for all which execution may be issued when allowed by law.

✓ 1600 The State vs Rafe Grumbles dals
Come the District Attorney and defendant Brown by Attorney, who moved to quash the indictment filed in this cause; and the matters of law arising therein being heard and argued, it is considered by the Court that said exception be overruled, to which opinion of the Court said Defendant by Attorney excepts: and on motion of the District attorney and for reasons appearing to the Court from his statement, it is ordered that this cause be continued.

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1602 The State of Texas vs B. O. Staveley

The district attorney by leave of the Court saith he will no further prosecute this cause: wherefore it is considered by the Court that the same be dismissed, and that the Defendant be discharged and go hence therefrom without day.

1603 The State vs Thos. Warren

On motion of the District attorney and for reasons appearing to the Court from his statement it is ordered that this cause be continued.

1606 The State vs Alexr & Thos Swisher

Ordered that this cause be continued as to Thomas Swisher for service: and on motion of the District attorney, and for reasons appearing to the Court from his statement it is ordered that this cause be continued as to Alexander Swisher. And thereupon come Alexander Swisher as principal & R. N. Lane and O. H. Millican as sureties and acknowledge themselves to owe the State of Texas Two Hundred Dollars, to be levied of their respective lands & tenements goods & chattels, but upon this condition, that if the said Alexander Swisher shall personally appear before this Court here on the first day of the next Term to answer to the Indictment exhibited against him in this cause, & remain from day to day and from term to term till discharged by due course of law, then this obligation shall be void, else remain in full force.

1609 The State vs Randal Lightfoot

Ordered that this cause be continued for service.

1610 The State of Texas vs Sem. Risher

Come the District attorney and defendant by his attorneys heretofore appointed: and defendant by his attorneys moved the Court to quash the Indictment filed in this cause: and the matters of law arising on said motion to quash being heard & argued, it is considered by the Court that said motion be overruled: to which opinion of the Court defendant by his attorneys excepts: and thereupon, the defendant being placed at the bar in charge of the Sheriff, pleaded "Not guilty:" whereupon a Jury, to wit, Ernest Raven, Thomas Warren, John Robinson, J. G. Billingsley, C. Behnke, A. R. Crozier, J. M. Mansfield, Fennick Smith, B. O. Staveley, Wade Henry, J. P. Coffee and Eugene Bremond, being duly elected, empaneled, tried & sworn a true verdict to render between the State and the prisoner at the bar according to law and the evidence, and having heard the evidence arguments of counsel and charges of the Court, upon their oath returned the following verdict. "We the Jury find the defendant guilty as charged in the indictment, and fix his term of service in the penitentiary of the State at two years. E. Raven. Foreman:" Whereupon it is adjudged by the Court, that the State of Texas recover against the prisoner the costs of this prosecution: and that the prisoner be remanded to jail

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to await sentence.

1611 The State vs Dick — (Inman)

Come the District attorney, and also the defendant by his attorneys heretofore appointed, who moved the Court to quash the indictment exhibited against said defendant in this cause; and the matters of law arising on said motion being heard & argued, it is conceived by the Court that said motion be overuled: to which opinion of the Court defendant by his attorneys excepts.

1612 The State vs Sanford Dolf

The District attorney with leave of the Court saith he will no further prosecute this cause: wherefore it is conceived by the Court that the same be dismissed, and that defendant be discharged and go hence thereof without day.

Ordered that Court be adjourned till tomorow morning 9 O'clock.

Wednesday May 23d 1866.

Court was opened according to adjournment. Present the same Judge as on yesterday.

2018 Amos Morile vs R.N. Lane dal

On motion of Defendants they have leave to amend their answer in this cause.

2309 W. H. Westfall vs Geo. Flournoy dal

On motion of Plaintiff by attorney, he has leave to amend his Petition filed in this cause.

2343 Pauline Taylor vs James Taylor

On motion of Plaintiff by attorney she has leave to amend her Petition filed herein.

2357 J.R. Billingsley vs Rutherford & Johnson

On motion of Plaintiff by attorney, it is ordered that he have leave to amend his Petition filed herein.

2368 Louis Elgin vs Wm. H. Blanton

On motion of Defendant by attorney he has leave to amend his answer filed herein.

2404 Charles Krohn vs W.P. Maben dal

On motion of Plaintiff by attorney he has leave to amend his petition filed herein.

2411 A.H. Barnes vs Joseph Harrell

On motion of Defendant by attorney he has leave to amend his answer filed herein.

2425 Chandler & Shelley vs Inman & Parsons

Come Plaintiffs by attorney, and defendants having been duly summoned and failing to appear and answer, it is considered by the Court that Plaintiffs recover against defendants according to the prayer of their Petition upon proof to be made on execution of a writ of enquiry which is hereby awarded.

2453 Wade Henry vs W.P. Mabin

Comes plaintiff by attorney, and the defendant having been duly summoned and failing to appear

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and answer, and this action being founded on a liquidated demand proved by a note in writing, after hearing the evidence it is considered by the Court that Plaintiff Wade Berry recover of defendant W. P. Mabin the sum of Three Hundred eight 82/100 Dollars with interest thereon at the rate of ten per centum per annum from this day till paid, and all costs of this suit: for all which execution may be issued when allowed by Law.

2479 F. W. Chandler vs E. S. Berry

On motion of Defendant by attorney he has leave to amend his answer filed herein.

1575 The State vs William Brown

Come as well the District attorney as the defendant by his attorney, who moved the court to quash the Indictment filed against him in this cause: and the matters of law arising upon said motion being heard & argued, it is considered by the Court that the said Indictment be quashed, and that this cause be dismissed and defendant be discharged & go hence thereof without day.

1576 The State vs Henry Earl

The District attorney, by leave of the Court saith he will no further prosecute this cause: whereupon it is ordered that this cause be dismissed, and that defendant be discharged and go hence thereof without day.

1600 The State vs Rafe Grumbles &c al

Come A. M. Baker, W. M. Grumbles W. Needham and Matthew Brown, and each for himself acknowledges himself to owe the State of Texas One Hundred Dollars, to be levied of their several lands & tenements, goods & chattels, upon this condition, that if they severally appear here before this Court on tomorrow as witnesses for defendant Jacob Brown in this cause & remain from day to day & from term to term till discharged by due Course of Law, this recognizance as to each so appearing to be void, otherwise to remain in full force.

1604 The State vs S. G. Sneed &al

The District attorney by leave of the Court saith he will no further prosecute this cause as to Defendant Carrington: wherefore it is ordered that as to him this cause be dismissed, and that said Defendant S. D. Carrington be discharged and go hence thereof without day. And it is further ordered that this cause be continued for service on Defendant Sneed.

1611 The State of Texas vs Dick — (freedman)

Comes the District attorney, and the defendant being placed at the bar in custody of the Sheriff, pleaded "Not guilty;" whereupon a Jury, to wit. John H. Robinson, Eugene Bremond, Thomas M. Warren, J. G. Billingsley, J. P. Cape, C. Behnke, Fennick Smith, J. M. Mansfield, Ernst Raven, B. O. Staveley, M. M. Long & J. B. Perry, being duly elected, empaneled tried and sworn a true verdict to render between the State and the prisoner at the Bar according to Law and the evidence, on their

Arrived to see first of next page

oath returned the following Verdict." We the Jury find the defendant guilty and sentence him to two years confinement in the Penitentiary of the State of Texas. John H. Robinson. Foreman"- Whereupon it is considered by the Court that the State of Texas recover against the Prisoner the costs of this prosecution; and that the prisoner be remanded to Jail to await Sentence.

1614 The State of Texas vs J. G. Sneed

It is ordered that the amount of bail to be given by defendant in this cause be fixed at One thousand Dollars; and the cause is continued.

1615 The State of Texas vs Sanford Dofs. (Fm.)

Come the District attorney and defendant by Attorney, and Defendant by attorney moved the Court to quash the Indictment exhibited against him in this cause: and the matters of law arising on said motion being heard and argued, it is considered by the Court that said motion be overruled; to which opinion of the Court defendant by attorney excepts: and thereupon the said defendant being placed at the Bar in charge of the Sheriff pleads "Not guilty", and a Jury, to wit, G. W. Glafcock, Eugene Bremond, Thomas M. Warren, John H. Robinson, J. G. Billingsley, C. Behnke, J. P. Cope, J. M. Mansfield, J. B. Perry, Alfred Smith, Jacob Brown and W. H. Brown, having been duly elected, empaneled, tried & sworn a true verdict to render between the State and the prisoner at the Bar, according to Law and the evidence, and having heard the evidence, arguments of Counsel and Charges of the Court, upon their oath returned the following verdict. "We the Jury find the defendant guilty and Sentence him to two years confinement in the Penitentiary of the State of Texas. G. W. Glafcock, Foreman." —— Whereupon it is considered by the Court that the State of Texas recover against the Prisoner all the costs of this prosecution; and that the Prisoner be remanded to Jail to await Sentence.

1619 The State of Texas vs Joseph Suringer

Come Defendant Joseph Suringer as principal and C. Steinfey & Ernst Raven as sureties and acknowledge themselves to owe The State of Texas Five Hundred Dollars to be levied of their respective lands & tenements, goods & chattels, upon condition that if said Joseph Suringer shall personally appear before the District Court of Travis County at the Court House on the first day of the next Term of said Court to answer the Indictment preferred against him in this cause, and remain from day to day and from Term to Term and not depart until discharged by due Course of law, then this recognizance is to be void: else to remain in full force. And for reasons appearing to the Court, it is ordered that this cause be continued.

1611 The State of Texas vs Dick (freeman)

Ordered that the last entry made in this cause be amended by inserting after the words "according to Law and the evidence" the following, "and having heard the evidence, arguments of Counsel and charge of the Court" ——

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√ 2453 Wade Henry To W.P. Mabin

On motion of Plaintiff by his attorney. it is adered that the Proceedings in attachment in this cause be dismifsed and the Garnishee William H. Carr from all responsibility under the Garnishment released & discharged.

√ 2438 M. W. Townsend To E. M. Bacon

This cause having been settled between the parties, as appears from an entry made by Plaintiff's attorney on the docket of the Court, it is ordered that this cause be stricken from the docket

Ordered that Court be adjourned till tomorow morning 9 o'clock

Thursday May 24th 1866.

Court was opened according to adjournment Present the same Judge as on yesterday:

√ 1600 The State of Texas Vs Rafe Grumbles & al.

By agreement of District Attorney and Defendant Jacob Brown by his attorney. it is ordered that the continuance entered heretofore at this term in this cause, be set aside as to the said Jacob Brown: and thereupon comes the District Attorney and the said defendant Jacob Brown being placed at the Bar in the Custody of the Sheriff, pleaded "Not guilty;" and thereupon a Jury. to wit. Ernst Raven. Eugene Bremond. Thomas M. Warren. John H. Robinson. J. G. Billingsley. J. P. Cope. Charles Behnke. Fennick Smith. J. M. Mansfield. B. A. Staveley. M. W. Long. and J. B. Perry, being duly elected. impaneled. tried & Sworn a true verdict to render between the State & said Jacob Brown according to Law and the evidence, and having heard the evidence. arguments of Counsel & charge of the Court, upon their oath returned the following verdict: "We the Jury find the defendant Brown, not guilty - E. Raven. Foreman."

Wherefore it is considered by the Court that as to said Jacob Brown this cause be dismifsed, and that said defendant Jacob Brown be acquitted & discharged and go hence thereof without day.

√ 1803 Charles Klein To W. P. Rutledge & al

On suggestion of the death of defendant W. P. Rodgers, it is ordered that his legal representatives be made defendants when Known, and for that purpose the cause is continued

√ 1917 Geo. H. Gray Ch. Jus. &c To J. B. Perry & als

This cause having been settled by the parties, is adered to be dismifsed.

√ 2035 J. M. Steiner To W. W. McLaughlin

For reasons appearing to the Court it is ordered that this cause be continued.

√ 2147 B. A. Shepherd To John Phelps & als

Comes again Plaintiff by his attorney; and on his motion, and because it appears to the satisfaction of the Court: that the suggestion of the death of John Phelps one of the defendants in this cause. made to the Court on the 16th instant was erroneous, it is ordered that the same and the proceedings had

in the cause at that time consequent thereon be set aside and annulled: whereupon comes Plaintiff by his attorneys, and defendants having been duly summoned (the said John Phelps by personal service and the said James C. T. Phelps and Wesley Johnston by citation by publication) and failing to appear and answer, it is considered by the Court that Plaintiff recover against said defendants according to the prayer of his petition, upon proof to be made upon the execution of a writ of Enquiry which is hereby awarded; and thereupon came a jury, to wit, Arthur R. Crozier and eleven others, who being duly elected tried and sworn, and having heard the evidence, to wit, the note on which this action is founded, filed among the papers of the cause, and a certified copy of the mortgage deed, attached to plaintiff's petition & also filed among the papers of the cause, which was all the evidence offered, upon their oath returned the following verdict to wit, "We the Jury find a verdict in favor of the plaintiff as follows:

Debt	$4500.00
Interest	317.50
making in all	$8317.50

And we further find that the property set forth in the petition, Lot Nº 1 in Block 83 is bound for the above named sum of debt and interest. May 24th '66. Arthr R. Crozier. foreman."

Wherefore it is considered by the Court that Plaintiff recover against defendants John Phelps, James C. T. Phelps and Wesley Johnston, the sum of Eight thousand three hundred and Seventeen dollars and fifty cents, principal & interest with interest thereon at the rate of ten per centum per annum from this day till paid and all the costs of this suit, for all which execution may be issued when allowed by law. And it is further ordered that (whenever executions shall be allowed by law) an order of Sale shall issue to the Sheriff of Travis County, directing him to sell the Lot described in the verdict of the Jury as Lot Nº 1 in Block Nº 83 as under execution; and if such Sale be insufficient to pay the above judgment and costs, further execution may be issued for such balance.

IV 2173 John Oliver vs David Young & Wm. Young

On motion of plaintiff by attorney and for reasons appearing to the Court, it is ordered that the dismission of this cause entered on the 17th inst. be set aside & the cause reinstated on the docket: and on the further motion of Plff by attorney the cause is continued.

V 2303 F. L. Smith adm vs J. J. Hughes et al.

Ordered that this cause be continued for service on Defendant J. J. Hughes.

X V 2312 J. W. Steiner vs John S. Ford Deft and Raymond Swisher Garnishee

Comes again Plaintiff by his attorney and thereupon a Jury to wit. Arthur R. Crozier and eleven others being duly elected tried & sworn, having heard the evidence, to wit, the note on which this action is founded, filed among the papers of the Cause, which is all the evidence produced, on their oath returned the following verdict "We the Jury find a verdict in favor

of the Plaintiff amounting to One hundred and ninety one Dollars and ninety two Cents. Arth. R. Crozier, Foreman" whereupon it is considered by the Court that Plaintiff J. W. Steiner recover against defendant John S. Ford the sum of One hundred and ninety one Dollars and ninety two Cents, with interest thereon at the rate of ten per centum per annum from this day till paid and all the costs of this suit for all which execution may be issued when allowed by law.

And this cause coming on further to be heard upon the Answer in Garnishment of James H. Raymond, and it appearing to the Court from said Answer that the firm of Jno. M. Swisher & Co. are indebted to defendant Ford in the sum of Two hundred and seven $\frac{65}{100}$ Dollars, and that said Raymond has in his possession of the property of said Defendant Ford, a Library of about 800 Volumes, 2 Book Cases, 6 Parlor chairs, 2 Rocking chairs, 1 Sofa & 1 Centre Table; it is thereupon considered by the Court that Plaintiff recover against John M. Swisher & James H. Raymond Partners under the firm of Jno. M. Swisher & Co. the sum of Two hundred & seven $\frac{65}{100}$ Dollars, and that the same be applied to the satisfaction of the foregoing judgment: and if the same be insufficient, then that the said Raymond deliver to the Sheriff of this County the property aforesaid, and that said Sheriff proceed to sell the same or so much thereof as may be necessary, as under execution for the satisfaction of this judgment.

2314 Emeline Baldwin vs John Baldwin

Ordered that this cause be continued for service.

2316 John Bremond vs John McIntire

Ordered that this cause be continued as on affidavit of Defendant.

2321 R. M. Castleman vs Reager & Morill

Come Plaintiff by Attorney and defendant Morill in person, and waiving a Jury submit this cause to the decision of the Court: and defendant Reager having been duly summoned and failing to appear and answer, and this action being founded on a liquidated demand proved by a note in writing, after hearing the evidence, it is considered by the Court that Plaintiff R.M. Castleman recover of defendants W. G. Reager and Amos Morill the sum of Four Hundred and forty two $\frac{50}{100}$ Dollars, with interest thereon at the rate of ten per centum per annum from this day till paid and all the costs of this suit, for all which execution may be issued when allowed by law.

And it appearing to the Court that defendant Morill is liable in this action only as endorser of the note of said Reager, it is ordered that the Sheriff be directed in levying execution issued on this judgment to levy first on any property of said Reager liable to execution situate in Travis County; and if a sufficiency thereof be not found, then upon like property of said Morill for so much as will satisfy this judgment. It is further ordered that if said Morill shall be compelled to pay this judgment or any part thereof, the same shall not thereby be finally discharged but shall remain in force against said Reager

for the use of said Morile, and for so much as he shall have been compelled to pay, may be prosecuted to execution for his use.

✓ ✓ 2324 R. M. Castleman vs Robards & Carr

Come Plaintiff & deft Robards by attorney, and by consent said Defendant has leave to withdraw from the files the answer heretofore filed by him; and thereupon came a Jury to wit Arthur R. Crozier and eleven others, who being duly elected tried and sworn and having heard the evidence returned the following verdict, "We the Jury find a verdict in favor of the Plaintiff as follows: —Debt— 209.50

Interest 97.23

making in all $306.73

Arth. R. Crozier Foreman." whereupon it is considered by the Court that Plaintiff R. M. Castleman recover of Defendants W. L. Robards and R. D. Carr the sum of Three hundred & Six 73/100 Dollars with interest thereon at the rate of ten per cent per annum from this day until paid and all the costs of this suit, for which execution may be ispued when allowed by Law.

✓ 2327 Jno. S. Spence vs Jno. J. Beech & wife

Ordered that this cause be continued for service

✓ 2331 W. A. Ransom & Co vs E. M. Earnest & als

Come Plaintiffs by Attorney, and discontinue their suit against W. Earnest: and defendants E. M. Earnest and R. P. Wright having been duly summoned and failing to appear and answer, it is considered by the Court that Plaintiffs recover against them according to the Prayer of their Petition, the amount to be computed by a Jury as asked for by Plaintiffs: and thereupon came a Jury, to wit Arthur R. Crozier and eleven others, who being duly elected tried & sworn and having heard the evidence, returned on their oath the following verdict: "We the Jury find the interest of the State of New York to be seven per cent and exchange One & a half per cent. Arth R. Crozier Foreman" Whereupon it is considered by the Court that Plaintiffs W. A. Ransom, A. P. Ransom, D. H. Greer & R. A. Boyd under their firm name of W. A. Ransom & Co recover from defendants E. M. Earnest and R. P. Wright the Sum of Four hundred & Sixty Six 32/100 Dollars Principal, interest and exchange, with interest thereon at the rate of eight Per Cent per annum from this day till paid and all the costs of this Suit to be Taxed: for all which execution may be ispued when allowed by Law.

✓ ✓ 2336 Woodlief Thomas vs J. D. McGary

Come the parties by their attornies, and the matters of law arising upon Plaintiff's exceptions to the Answer of Defendant being heard & argued, it is considered by the Court that said Exceptions be overruled; to which opinion of the Court, Plaintiff by Attorney excepts: and thereupon came a Jury, to wit, H. Johns and eleven others, who being duly elected tried & sworn, and having heard the evidence, argument & charge of the Court, upon their oath returned the following verdict: "We the Jury find for the plaintiff Two hundred Sixty Seven Dollars

principal with ten per cent interest to date. total amount Four hundred Dollars & fifty cents. H. Johns Foreman." wherefore it is considered by the Court that plaintiff Woodlief Thomas recover against defendant J. D. McGarey the sum of Four Hundred Dollars & fifty cents. with interest thereon at the rate of ten per centum per annum from this day till paid and all the costs of this suit. for all which execution may be ifsued when allowed by Law.

1 V 2337 Amos Morill vs A.H. Cook

An motion of Plaintiff. ordered that this cause be continued.

1 V 2338 Amos Morill vs L. S. Friend

Ordered that this cause be continued for service.

1 V 2339 J. F. Johnson Adm'r &c vs A.H. Cook & al

An motion of Plaintiff by Attorney ordered that this cause be continued.

1 V 2340 J. D. Davis vs J. W. Parks

An Suggestion of the death of defendant it is ordered that this cause be revived against his legal representatives when Known, and for that purpose continued.

1 V 2341 J. D. McGarey vs A. H. Cook

Come the parties by their Attorneys and the exceptions of defendant to Plaintiff's Petition being heard & argued. it is considered by the Court that said exceptions be overruled: to which opinion of the Court. defendant by attorney excepts: and thereupon came a Jury. to wit. Arthur R. Crozier and eleven others who being duly elected. tried & sworn, and having heard the evidence, returned on their oath the following verdict, "We the Jury find a verdict for the Plaintiff as follows. Debt 336 - Interest 173.04. making the sum of $509.04 Arth. R. Crozier. foreman" - wherefore it is considered by the Court that Plaintiff J. D. McGarey recover of defendant A. H. Cook the sum of Five hundred & nine 04/100 Dollars with interest thereon at the rate of twelve per cent per annum from this day till paid and all the costs of this suit, for all which execution may be ifsued when allowed by Law.

1 V 2342 J. D. McGarey vs A. C. & W. H. Hill

By agreement of parties, ordered that this cause be continued.

1 A 2343 J. D. McGarey vs G. W. Glafscock & als

Come plaintiff & defendant Glafscock by Attorney. and the matter of law arising upon the demurrer of said defendant to Plaintiff's Petition being heard & argued. it is considered by the Court that said Demurrer be overruled, to which opinion of the Court defendant by his attorney excepts: and the said Parties waiving their right to trial by Jury. submit the cause to the judgment of the Court; and defendants Johnson & Handle having been duly summoned and failing to appear and answer. and this action being founded on a liquidated demand proved by a note in writing, it is considered by the Court that Plaintiff J. D. McGarey recover against defendants G. W. Glafscock

District Court Minutes, Spring Term, May 24th 1866.

R. M. Johnson and Joseph Harrell the Sum of Three thousand two hundred and forty two 41/100 Dollars with interest thereon at the rate of twelve per centum per annum from this day till Paid and all the Costs of this Suit. for all which execution may be ifsued when allowed by Law.

2344 J. D. McGarey vs Thos. H. Jones & als

Come Plaintiff & Defendant Jones by attorney. and the Demurer of said Defendant to Plaintiff's Petition being heard and argued, it is considered by the Court that said Demurer be overruled. to which opinion of the Court. Defendant by attorney excepts: and defendant Johnson having been duly Summoned and failing to appear and answer, thereupon came a Jury to wit. Arthur R. Crozier & eleven others. who being duly elected tried and Sworn. and having heard the evidence, upon their oath returned the following verdict, "We the Jury find a verdict for the plaintiff as follows. Debt —— 1207.30. Interest 454.84 — making the Sum of 1662.14. Arthr R. Crozier. Foreman." wherefore it is considered by the Court that Plaintiff J. D. McGarey recover of defendants Thomas H. Jones & R. M. Johnson the Sum of One thousand six hundred and Sixty two 14/100 Dollars with interest thereon from this day till paid at the rate of twelve per centum per annum, and all the Costs of this Suit. for all which execution may be ifsued when allowed by Law.

2347 J. H. Murray vs Jno. Hollander

Ordered that this cause be continued for service, and that alias Citation ifsue to Bastrop County.

2348 Newell & Harmon & Co vs W. H. Morris & al

Ordered that this cause be continued for service.

2349 W. B. Armstead vs John H. Walker

Comes Plaintiff by attorney. and defendant having been duly Summoned and failing to appear & answer, it is considered by the Court that Plaintiff recover against said defendant according to the prayer of his petition upon proof to be made before a Jury. which is hereby ordered to be forthwith empanneled: and thereupon came a Jury. to wit, Arthur R. Crozier & eleven others. who being duly elected, tried & Sworn, and having heard the evidence, upon their oath returned the following verdict, "We the Jury find a verdict in favor of the plaintiff amounting to $ 1396.32. Arthr R. Crozier. foreman" — wherefore it is considered by the Court that Plaintiff W. B. Armstead recover against defendant John H Walker the Sum of One thousand three hundred and ninety six 32/100 Dollars with interest thereon from this day till Paid at the rate of eight per cent per annum, and all the costs of this Suit; for which execution may be ifsued when allowed by Law.

2350 J. D. McGarey vs Jno A. Black

This cause stands continued by operation by law.

2351 John Bremond vs S. M. Kilgore & als

Ordered that this cause be continued for service.

District Court Minutes, Spring Term, May 24th 1866

2368 Louis Elgin vs Wm H. Blanton

By agreement of parties, it is ordered that this cause be continued.

2388 John T. Brown vs Thomas H. Jones & als.

Comes Plaintiff by attorney, and discontinues this cause as to defendant Catterton, who is dead; also comes defendant Williams by Attorney; and said defendant & also Plaintiff by attorney waiving the right of trial by Jury, submit this Cause to the decision of the Court: and defendant Jones having been duly Summoned and failing to appear and answer, and this action being founded on a liquidated demand proved by a note in writing, after hearing the evidence it is considered by the Court that plaintiff John T. Brown recover against defendants Thomas H. Jones and P. S. Williams the Sum of Five hundred and Sixty one Dollars & ninety cents with interest thereon at the rate of eight per cent per annum from this day till paid, and all the costs of this suit, for which execution may be issued when allowed by Law.

And it appearing to the Court that defendant Williams is liable in this action only as endorser on the note of defendant Thomas H. Jones, it is ordered that the Sheriff be directed to levy any execution which may be issued on the above judgment first on the property of said Jones liable to execution situate in Travis County, and if a sufficiency be not found then on property of said Williams so far as may be necessary to satisfy said judgment: and if said Williams shall be compelled to pay the above judgment or any part thereof, the same shall not thereby be finally discharged but remain in force against said Jones for the use of said Williams, and for so much as said Williams shall have paid may be proceeded to execution for his use.

Ordered that Court be adjourned till tomorrow morning 9 O'clock.

Friday. May 25th. 1866.

Court was opened pursuant to adjournment. Present the same Judge as on yesterday:

2446 Thomas J. Stone vs J. H. Walker & wife

Comes again plaintiff by his attorney and thereupon came a jury to wit, Arthur R. Crozier and eleven others, who being duly elected tried and sworn, and having heard the evidence on their oath returned the following verdict. "We the Jury find a verdict in favor of the Plaintiff as follows, Debt $1666.66 2/3 Interest 722.21 2/3 making in all $2388.88: and we further find that the land set forth in the petition is bound for the above sum of $2388.88- Arth. R. Crozier" Whereupon it is considered by the Court that Plaintiff Thomas J. Stone recover against defendants J. H. Walker and Judith W. Walker, the Sum of Two Thousand three hundred and eighty eight 88/100 Dollars, with interest thereon at the rate of eight per cent per annum from this day till paid and all the costs of this suit: and it is ordered that (whenever execution is allowed by Law) an order of Sale be issued to the Sheriff of this County, directing him to sell the land set forth in the petition, to wit "a certain tract lying being situate in said County of Travis, and bounded and "described by the following metes and bounds, to wit: On the West side of

"the Colorado River on Spring Creek about four miles South west from
"the City of Austin, granted to Thomas J. Stone as aforigne of Charles H.
"Riddle and containing five hundred and eighty six acres. Beginning
"in a small grove of live oaks two of which are marked X the N. E.
"Corner of James Trammel's 1/3 League N°4: thence N. 30 East with
"Isaac Decker's West line at 1140 Varas a Stone mound, from which
"a post oak marked X bears South 17° East 29 Varas, another same mark
"bears South 2° East 28 Varas - Thence north 60° West 2150 Varas to
"Spring Creek at 2409 Varas a Stone Mound, from which a cedar
"marked X bears North 25° East 2 Varas, another dumi mark
"bears South 82° East 2 Varas - thence South 30° West at 450 Varas
"Spring Creek, at 1140 Varas: a Stone mound on the north line of said
"Trammel's Survey from which a live oak marked X bears South 72°
"East 12 Varas, another bears South 21° East 8 Varas - thence South 60° E
"with said Survey 2409 Varas to the place of beginning" as under
execution; and if the proceeds of sale be insufficient to pay said
judgment and costs, further execution may be ifsued against said
defendants for whatever sum may thus remain unpaid.

√ + 2356 F. E. Smith vs. R. S. Caperton et als:

On motion of Plaintiff by attorney, he has leave to amend his Petition: and the matters of law arising upon demurrer by Defendant Piper to Plaintiff's Petition being heard and argued it is considerd by the Court that said Demurrer be overuled, to which opinion of the Court defendant Piper by Attorney excepts: and thereupon come Plaintiff & defendants, by attorney and waiving their right to trial by Jury, submit this cause to the decision of the Court; and it appearing that defendant ——— Nichols has been duly summoned and the failing to appear and answer, after hearing the evidence, it is considerd by the Court that plaintiff F. E. Smith, administrator of Israel Pickens dec'd, recover against defendants R. S. Caperton, O. J. Nichols and W. L. Piper the sum of One hundred and seventy two 50/100 Dollars with interest thereon at the rate of ten per cent per annum from this day till paid and all the costs of this cause, for all which execution may be ifsued when allowed by Law.

Caputy of Piper

√ √ 2372 R. M. Johnson vs. R. A. Rutherford

By agreement of Parties, it is ordered that this cause be continued.

√ + 2506 F. W. Chandler vs. G. W. Glafscock

Comes again Plaintiff by his Attorneys, and thereupon came a Jury, to wit Ernst Raven and eleven others, who being duly elected tried and sworn, and having heard the evidence, upon their oath returned the following Verdict, "We the Jury find for Plaintiff the principal amounting to $6000.00 and interest for six years five months and twenty seven days amtg to 3116.00 Total $9116.00 E. Raven foreman" — Wherefore it is considered by the Court that plaintiff F. W. Chandler recover of Defendant G. W. Glafscock the sum of Nine thousand and One hundred and fifteen Dollars, with interest thereon at the rate of eight per cent per annum from this day till paid, and all

the costs of this suit; for all which execution may be ifsued when allowed by Law.

2511 John H. Robinson vs J. L. Peay:

Comes again Plaintiff by attorneys and thereupon Came a Jury, to wit. Arthur R. Crozier and eleven others, who being duly elected tried and Sworn, and having heard the evidence, upon their oath returned the following verdict, "We the Jury find a verdict in favor of the Plaintiff as follows-

Note	98.39
Interest	53.02
Account	26.63
Interest on Same	10.65
making Total amount of judgment	$188.69

Arth R Crozier. foreman" Wherefore it is coneidered by the Court that Plaintiff recover of defendant the Sum of One hundred and eighty eight $\frac{69}{100}$ Dollars, with interest at the rate of ten per cent per annum on $151\frac{41}{100}$ part thereof, and at the rate of eight per cent per annum on $37\frac{28}{100}$ remainder thereof from this day till Paid and all the costs of this Suit. for all which execution may be ifsued when allowed by law.

The Grand Jury came again into Court and presented

1620 An Indictment against Charles Woolridge. For Gaming:
1621 An Indictment against —— Jenkins For Gaming:
1622 An Indictment against — Michel For Gaming:
1623 An Indictment against Thomas Moran For Gaming:
1624 An Indictment against William Thompson For Gaming:
1625 An Indictment against Nat Moore. For aggravated afault.
1626 An Indictment against — Augustine — (a Mexican) For afault with intent to Kill & murder.
1627 An Indictment against John Burleson Jr. For afault with intent to Kill & murder:
1628 An Indictment against John B. Perry. For theft of a horse:
1629 An Indictment against Jerry Rector For horse stealing:
1630 An Indictment against Jerry Rector For horse stealing:
1631 An Indictment against Jerry Rector For Horse Stealing
1632 An Indictment against John Turner For Horse stealing
1633 An Indictment against Alfred (a freedman) For Horse stealing
1634 An Indictment against Jerry Peoples, (a free) for theft of a Horse
1635 An Indictment against Jerry Rector for theft of corn
1636 An Indictment against Louis Elgin for Adultery
1637 An Indictment against Celia Staveley for Adultery
1638 An Indictment against Jos. Luxsinger. A. G. Buddington, Richard H. Peck, Charles Krahn. R. A. A. Carleton. Patrick Lynch, Rufus R. Jones and Joseph Robbins - for butchering Beeves for market in the City of Austin & not returning lists to County Clerk.
1639 An Indictment against Louis Horst. for failing to render lists of cattle slaughtend for market, their marks & brands.

And the said Grand Jury reporting that they had no further business before them, were thereupon discharged.

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2353 P. S. Williams vs Philip Jobe & als
On motion of Plaintiff by attorney, he has leave to amend his Petition in Vacation; and this cause is continued for service.

2354 Simon Loomis vs W. P. Maben

2355 Loomis & Christian vs W. P. Maben
For reasons appearing to the Court it is ordered that these causes be continued.

2358 J. W. Chandler vs J. D. Buchanan
Come the parties by their attorneys and on motion of Plaintiff by attorney, it is ordered that the Demurrer pleaded by Defendant on the 18th instant be stricken from the record; and thereupon came a Jury, to wit, Ernest Raven and eleven others, who being duly elected, tried & sworn, and having heard the evidence, arguments and charge of the Court upon their oath returned the following verdict, "We the Jury find for Plaintiff the amt for Principal $162.20 Interest from Dec 9th 163 — 39.80. Total $202.00. We find further that the mortgage given in evidence was executed to secure the amount due, and the printing type &c there mentioned are liable to be sold to pay same. E. Raven Foreman" — wherefore it is considered by the Court that Plaintiff J. W. Chandler recover from defendant J. D. Buchanan the sum of Two hundred and two Dollars with interest at the rate of ten per centum per annum from this day till paid and all the costs of this suit: and that (whenever executions are allowed by Law) an order of Sale be issued to the Sheriff of this or of any other county where the same can be found County, directing him to sell the printing printing type & furniture known as the Belton Independant and all the fixtures thereto belonging, if found, as under execution; and if the proceeds of such Sale be insufficient to pay this judgment and costs, or if said properties cannot be found, further execution may be issued against the defendant for the amount so remaining unpaid.

2360 John Bremond vs J. B. Hammett
Ordered that this cause be continued for services.

2364 Louis Elgin vs E. Hansbrough
Ordered that this cause be continued as on affidavit of defendant.

2371 Thomas Freeman vs Josiah Fisk
Come the parties by attornies, and the matter of law arising upon defendant's Demurrer being heard & argued, it is considered by the Court that said demurrer be overruled: and thereupon came a Jury, to wit, Arthur R. Crozier and eleven others, who being duly elected, tried & sworn, and having heard the evidence, arguments & charge of the Court on their oath returned the following verdict, "We the Jury find a verdict in favor of the Plaintiff as follows. Debt $577.49 - Interest 340.80. Amounting in all to $918.29. Arthur R. Crozier Foreman" wherefore it is considered by the Court that Plaintiff Thomas Freeman recover of defendant Josiah Fisk the sum of Nine hundred and eighteen 29/100 Dollars, with interest thereon at the rate of Ten

District Court Minutes, Spring Term, May 25. 1866

per cent per annum from this day till paid and all costs of this suit.
for all which execution may be ifsued when allowed by Law.

2373 Sam. Wilbahan vs Jos. Earl Sal

By agreement of parties, it is ordered that this cause be continued.

2377 W. A. Morris vs Andrew Kruger

On motion of Plaintiff by attorney it is ordered that this cause be continued.

2379 J. D. McGarry vs R. A. Rutherford Sals.

On motion of Plaintiff by attorney, leave is given to the clerk to amend the citation ifsued for defendant Rutherford in this cause and to the Sheriff to amend his return thereon; and on the further motion of Plaintiff by attorney, this cause is continued for services on all the defendants.

2381 T. F. Mc Kinney vs W. H. Lemons Sals

Ordered that this cause be continued for services.

2384 J. B. Raymond vs A. Gregg

According to agreement of the parties it is ordered that this cause be continued.

2385 A. B. McGill vs John M. Costley

On motion of defendant by Attorney he has leave to amend his answer: and Defendants exceptions to Plaintiff's Petition being heard and argued, it is considered by the Court that said exceptions be overruled, to which opinion of the Court defendant by his attorney excepts: And thereupon came the parties by their attornies and a Jury. to wit, Arthur R. Crozier and eleven others, who being duly elected. tried and sworn, and having heard the evidence, arguments of Counsel & charge of the Court, upon their oath returned the following verdict: "We the Jury find a verdict in favor of the Plaintiff as follows: Debt $100.00 Interest at 8 per ct 70.66. amounting in all to $170.66. Arthr. R. Crozier." Whereon it is considered by the Court that Plaintiff A.B. McGill recover of Defendant John M. Costley the sum of One hundred and Seventy $\frac{66}{100}$ Dollars. with interest at the rate of eight per centum per annum thereon from this day till paid and all the Costs of this suit. for all which execution may be ifsued when allowed by Law.

April 1, 1866 I hereby transfer this judgment to Joseph Lee for value received
Attest
A. B. McGill

Jany 15. 1868. Rec'd of one hundred Dollars on this judgment.
Frank Rowe

2438 Martin W. Townsend vs Elbert M. Bacon

This cause having been dismissed by Plaintiff by entry on the docket in vacation, is ordered to be stricken therefrom.

2311 M. K. Ryan vs Geo. D. Glafscock

Come the parties by attorney and waiving trial by Jury, submit the cause to the decision of the Court: and after hearing the parties and the evidence it is considered by the Court that Plaintiff M. K. Ryan recover of defdt Geo. D. Glafscock the sum of Two hundred eighteen $\frac{01}{100}$ Dollars with interest thereon at the rate of ten per cent per annum from this day until paid, and all the costs of this suit. for all which execution may be ipsued when allowed by Law.

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Ordered that Court be adjourned till tomorrow morning 9 o'clock

Saturday May 26th 1866

Court was opened pursuant to adjournment Present the same Judge as on yesterday.

√ 2287 Brice Dillingham vs Amos Morill

On motion of plaintiff & defendant by Attorney. they have leave to amend their pleadings.

√ V 2366 W. H. Summis vs W. W. Bridgers & al

√ V 2375 W. M. Walton vs S. & C. Lockwood

For reasons appearing to the Court it is ordered that these causes be continued.

√ V 2378 C. Wahrenberger Admr. &c vs Ernst Raven

On motion of Defendant by Attorney. he has leave to amend his answer.

√ V 2405 Charles Krohn vs Atwood & Palm

On motion of Defendants by attorney he has leave to amend their answer.

V 1615 The State of Texas vs Sanford Dolfs

The motion of Defendant by his counsel for new Trial and in arrest of Judgment being heard, argued & maturely considered, it is ordered by the Court that said motions be overruled.

√ 1611 The State of Texas vs Dick - (freedman)

The motions of Defendant by his counsel for new trial and in arrest of judgment being heard, argued & maturely considered, it is ordered by the Court that said motions be overruled.

Ordered that Court be adjourned till Monday Morning 9 O'clock.

Monday May 28th 1866.

Court was opened pursuant to adjournment: Hon. I. B. McFarland. Judge. presiding:

√ 2378 C. Wahrenberger Admr &c vs C. Raven

For reasons appearing to the Court from affidavit of Defendant, it is ordered that this cause be continued.

√ V 2380 James T. Ward vs Townsend & Ranck

According to agreement of the parties, it is ordered that this cause be continued.

√ V + 2383 Frank Brown vs A. B. McGill & als.

Comes Plaintiff by Attorney, and defendants having been duly Summoned and failing to appear and answer. and it appearing to the Court that this action is founded on a liquidated demand proved by a note in writing, it is considered by the Court that plaintiff Frank Brown recover of Defendants A. B. McGill, Joseph Lee & John B. Costa the sum of One hundred and seventy 60/100 Dollars with interest thereon at the rate of ten per cent per annum from this day till paid and all the costs of this suit, for all which execution may be issued when allowed by law.

Jany 15 1868. This judgment credited on the annexed docket fee McGinley & Kelly by Frank Brown

√ V 2386 R. M. Johnson vs B. J. Smith

The matters of law arising upon the Demurrer

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of Defendant to Plaintiff's Petition being heard and argued, it is considered by the Court that said Demurrer be overruled: to which opinion of the Court, defendant by attorney excepts.

2390 Wendry Kyrife vs Conrad Pfluger

By agreement of Parties it is ordered that this cause be continued.

2391 S. M. Swenson vs Chr McKinney

2394 S. M. Swenson vs A. A. Cook

2396 S. M. Swenson vs Gus Galpcock

2399 S. M. Swenson vs A. J. Nichols

Ordered that these causes be continued for Service.

2392 S. M. Swenson vs Thos F. McKinney

Comes Plaintiff by attorney, and defendant having been duly summoned and failing to appear and answer, and this action being founded on a liquidated demand proved by a note in writing, it is considered by the Court that Plaintiff recover of defendant Thos F. McKinney the sum of Two hundred & thirty eight $\frac{93}{100}$ Dollars with interest at the rate of eight per cent per annum from this day till paid and all the costs of this suit, for all which execution may be ifsued when allowed by Law.

2393 S. M. Swenson vs C. D. Millett

On motion of Plaintiff it is ordered that alias citation be ifsued in this cause to the Sheriff of Burleson County, for which purpose this cause is continued.

2395 S. M. Swenson vs Robt Crenzbaur

Comes Plaintiff by Attorney and defendant having been duly summoned and failing to appear and answer, and this action being founded on a liquidated demand proved by a note in writing, it is thereupon considered by the Court that Plaintiff S. M. Swenson recover of Defendant Robert Crenzbaur the sum of One hundred & seventy three $\frac{53}{100}$ Dollars with interest thereon from this day till paid, at the rate of ten per centum per annum, and all the costs of this suit: for all which execution may be ifsued when allowed by Law.

2402 H. W. Koepperwein vs Adolph Alpiq

Come the parties by their Attornies and waiving trial by Jury, submit this cause to the decision of the Court: and after hearing them and the evidence, it is considered by the Court that Plaintiff recover of Defendant the sum of Seven hundred and eighty six $\frac{12}{100}$ Dollars with interest thereon at the rate of eight per cent per annum from this day till paid, and all the costs of this suit, for all which execution may be ifsued when allowed by Law.

2403 F. Hancke vs C. W. Bacon & Co

This case having been settled between the Parties, and the costs being paid, it is ordered to be dismissed.

2404 C. Krohn vs W. P. Mabin & al

By agreement of Parties it is ordered that this cause be continued.

2408 John P. Key vs W. B. Coffee & als

Ordered that this cause be continued for Service on defendant Ogilvie.

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1 2409 W. A. Ransom &c. vs J. R. Vance

An motion of Plaintiffs by attorney, it is ordered that this cause be dismissed.

X 2415 J. D. McGary vs Geo. W. Paschal & als

Comes Plaintiff by attorney and discontinues this suit as to defendant W. D. Thomson: whereupon come the other defendants by Attorney, and the matters of law arising upon the demurrer of defendants to Plaintiff's Petition being heard and argued, it is considered by the Court that said Demurrer be overruled: and thereupon, the parties by attorney waiving trial by jury, submit the cause to the decision of the Court: and after hearing them and the evidence, it is considered by the Court that Plaintiff J. D. McGary recover of defendants George W. Paschal, Isaiah A. Paschal and John Hancock the sum of Two thousand Eight hundred & thirty Six 67/100 Dollars with interest thereon at the rate of Twelve ~~per~~ centum per annum from this day till paid and all the costs of this suit: for all which execution may be ifsued when allowed by Law:

And it appearing to the Court that the defendants I. A. Paschal and John Hancock are liable in this action only as sureties of their codefendant George W. Paschal, it is ordered that the Sheriff be directed in levying any execution ifsued upon this judgment, to levy first upon property of defendant George W. Paschal liable to execution situate in Travis County, and if a sufficiency be not found, then upon the property of said I. A. Paschal and John Hancock, for so much as may be necessary to satisfy the above judgment: and if the said I. A. Paschal and John Hancock or either of them shall be compelled to pay the above judgment or any part thereof, the same shall not be thereby finally discharged, but shall remain in force against the said George W. Paschal for the amount so paid, for the use of him or them paying the same, and for so much may be prosecuted to execution for his or their use.

1 2240 Frederick Jourdan vs A. Kemp:

For reasons appearing to the Court it is ordered that this cause be continued.

1 1615 The State of Texas vs Sanford Dolf:

The prisoner Sanford Dolf was again placed at the Bar in custody of the Sheriff, and being asked if he had any thing to say why judgment should not be rendered and Sentence pronounced against him, according to the Verdict of the Jury, convicting him of theft of a clevis, pleaded and produced in Court a pardon under the hand of A. J. Hamilton, Provisional Governor of the State of Texas and the seal of the State, absolving him from the said charge: and the said pardon being legally authenticated, it is ordered that the said prisoner Sanford Dolf be discharged.

1 1633 The State of Texas vs Alfred —— (Freedman)

The prisoner having no counsel and declaring himself too poor to employ counsel, M. D. Bowers and

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Thomas E. Sneed Esquires are by the Court appointed to defend him in this behalf.

2322 Sarah Johnson vs T. W. Nolen

For reasons appearing to the Court it is ordered that this cause be continued.

2405 Charles Krohn vs Atwood & Palm

Come the parties by their attornies and thereupon came a Jury, to wit, Arthur R. Crozier and eleven others, who having heard the evidence, arguments of counsel and charge of the Court, retired to consult of their Verdict, and returning into Court, declared that they could not agree in a verdict; whereupon by consent of the parties by their attornies it is ordered that Arthur R. Crozier one of the Jurors aforesaid be withdrawn and the remainder of the Jury from rendering a Verdict discharged, and that this cause be continued.

1610 The State of Texas vs Sem Risher

The motions of defendant by counsel for new trial and in arrest of judgment being heard, argued and maturely considered, it is adjudged by the Court that said motions be overruled: to which opinion of the Court, Defendant by his counsel excepts.

Ordered that Court be adjourned till tomorrow morning 9 O'clock.

Tuesday May 29th 1866.

Court was opened according to adjournment Present the same Judge as on yesterday:

2245 W. Oliphant vs W. G. Johnson et al

On motion of defendants by Attorney they have leave to amend their answer: and by agreement of parties, this cause is continued till the next Term, and set for trial on the third Monday of that Term.

2313 Pauline Taylor vs James Taylor:

Come the parties by their attorneys (the Defendants being represented by Fred. Carleton & Thomas E. Sneed esquires heretofore appointed by the Court): and the Demurrer to the petition coming on to be heard, after argument by Counsel and the Court being fully advised thereon, it is ordered by the Court that said Demurrer be overruled. And thereupon came a Jury, to wit, J. H. Henderson & eleven others, who being duly empaneled and sworn, and after hearing the evidence, arguments of Counsel & charge of the Court upon their oath rendered the following verdict, "We the Jury find that the allegations of the plaintiff that defendant left her with the intent of abandonment for more than three years is true and is living with another woman in adultery, and that the property claimed in plaintiff's Petition, being the South half of lot No 2 in Block No 42 is the separate property of the plaintiff. J. H. Henderson, foreman." And it appearing to the Court that the verdict is sustained by the testimony, it is ordered, adjudged and decreed by the Court, that the bonds of matrimony heretofore existing between the Plaintiff Pauline Taylor and the defendant James Taylor be and the same are hereby dissolved, and that Plaintiff be and she is hereby divorced from the said James Taylor.

And it is further ordered adjudged and decreed by the Court that the said South half of Lot No 2 in Block No 42 in the City of Austin be & the same is declared to be separate property of the plaintiff and that the same be adjudged to her free from any claim of the said defendant, and that plaintiff be quieted in her possession of said South half of Lot No 2 in Block No 42 in said City of Austin and that the defendant be perpetually enjoined from setting up any claim thereto or interfering with the possession of plaintiff in the same and that this decree be a muniment of title to Plaintiff. And it is further adered that Plaintiff recover of Defendant all the costs of this cause for which execution may be issued when allowed by Law.

X√√ 2386 R.M. Johnson vs W. J. Smith

Come the parties by their attornies and waiving trial by Jury. submit this cause to the decision of the Court: and after hearing them and the evidence, it is considered by the Court that Plaintiff R. M. Johnson recover of defendant W. J. Smith the sum of Two hundred & eight 20/100 Dollars, with interest thereon at the rate of ten per centum per annum from this day till paid and all the costs of this suit: for all which execution may be issued when allowed by Law.

X√ 2412 A. W. Smith vs F. W. Smith

On motion of Plaintiff by his attorney it is adered that this suit be dismissed at his costs.

X√√ 2413 W.W. Clement vs F. W. Smith

On motion of Plaintiff by attorney, it is adered that this suit be dismissed at his costs.

√√ 2421 Chandler & Shelley vs A.R. Lane & al

On motion of Plaintiffs by Attorney they have leave to amend their Petition; and (A. Morrill Esq. appearing for defendants) this cause is continued on affidavit of Defendant John W. Lane.

√√ 2422 W. A. Blair vs R. A. Rutherford

On motion of defendant, he has leave to amend his answer; and by agreement of the parties this cause is continued.

√√ 2423 F. W. Chandler vs J. H. Conner

By agreement of parties by their attornies it is adered that this cause be continued.

√√ 2426 Chandler & Shelley vs J.W. & J. H. Lane

For reasons appearing to the Court from the affidavit of defendant John W. Lane, it is ordered that this cause be continued.

√√ 2427 W. Chote vs Davis & Johnson

On motion of defendants by attorney they have leave to amend their answer & this cause is continued.

√ 2428 W. A. Blair vs M. Casner & al

On motion of defendant Casner by attorney he has leave to amend his answer & continued.

√√ 2431 W. A. Blair vs Bryan Lyman & als

On motion of defendants by Attorney

they have leave to amend their Answer; and for reasons appearing to the Court, it is ordered that this cause be continued.

1 V 2425 W. Chandler & Shelley vs Inman & Parsons

Come plaintiffs by Attorney and on their motion, it is ordered that the Judgment by default entered in this cause on the 23d instant be set aside; and on the further motion of Plaintiffs by Attorney they have leave to amend their Petition; and it appearing to the Court that defendants Charles Inman and Hugh Parsons have been duly Summoned and failing to appear and answer, thereupon came a Jury to wit: J. H. Herndon and eleven others, who being duly empaneled and Sworn and having heard the evidence, on their oath rendered the following verdict," We the Jury find that the two Defts are indebted to Pltffs on their four several notes with credits allowed in the sum of $1585 00/100 Interest to date $11.33. Total $1793 33/100

And also that defendant Inman is indebted to plaintiffs in the Sum of $1000 00/100 on the 2 notes - interest to date $133 33/100 - Total $1133 33/100 — And also that we further find that the property set forth in exhibit "A," is bound for the whole debt, the total amount being of all six notes $2929.66. J. H. Herndon, foreman" Wherefore it is considered by the Court, that Plaintiffs T.W. Chandler and W. G. Shelley recover of defendants Charles Inman and Hugh Parsons the Sum of One thousand Seven hundred and ninety three 33/100 Dollars, with Interest thereon from this day till Paid, at the rate of eight per cent per annum, and all the costs of this Suit; And that Plaintiffs T.W. Chandler and W. G. Shelley recover of defendant Charles Inman the further Sum of One thousand One hundred and thirty three 33/100 Dollars with interest thereon from this day till paid, at the rate of eight per centum per annum. And it is ordered by the Court, that an order of sale issue (when execution is allowed by law) to the Sheriff of Goliad County directing him to sell the property described in Exhibit "A", to wit; "the following described tract or parcel of land out of the Maria de Jesus Ybarbo four league grant situated in the County of Goliad State of Texas, to wit Eight hundred acres of Land taken off of the east side of said grant, deeded to me (said Inman) on the 13th day of October 1862 by J.M. Ward, C.W. Evans, C.G. Ward, Wm B. Ward and Robt. M. Ward" as under execution; and if the proceeds of such sale be insufficient to Satisfy the above judgment and costs, further execution may be issued for the unpaid balance or for the debt against said defendants Inman & Parsons, or defendant Inman, as the case may be.

V 2429 J.T. Chandler vs T. A. Johnson & al

Ordered that this cause be continued for service

X V 2432 Abraham N Burtis vs John P. Varser

Come the Parties by their Attornies and on motion of Plaintiff by Attorney, he has leave to amend his Petition; and thereupon came a Jury, to wit. J.H. Herndon & eleven others, who being duly empaneled and Sworn and having heard the

evidence. arguments and charge of the Court, on their oaths rendered the following verdict, "We the Jury find the Defendant indebted to Plaintiff in the sum of Seven thousand two hundred & fifteen Dollars and twenty three Cents,

J. H. Herndon. Foreman."

Wherefore it is considerd by the Court that Plaintiff Abraham Buntis recover of defendant John P. Varser the sum of Seven Thousand Two Hundred and fifteen Dollars and twenty three cents. with interest thereon at the rate of eight per centum per annum from this day till Paid and all the costs of this Suit: and it is adered that (whenever execution is allowed by law,) an order of Sale be issued to the Sheriff of this County directing him to sell the property mentioned in the Sheriff's return on the Attachment, to wit, "the following described tracts of land lying and situated in Travis County to wit, one tract containing One hundred acres more or less situated on the east side of the Colorado River one mile below Webberville being a part of the Matthew Duty headright. bounded on the North by lands of Mrs. Hamilton, on the West by the lands of Mrs. Scroggins, on the South by the lands of Dr Bacon, and on the West by the Colorado River, being the same tract of land conveyed by Wm H. Morris and his wife Ellen A. Morris to John P. Varser on the second day of July A D 1862 (July recorded in Travis County: also another tract of land containing Forty five $\frac{45}{100}$ Acres more or less, out of the Richard Duty headright league lying in Travis County on the east side of the Colorado River below Webberville near the above described tract; also conveyed by said Morris & wife on the same date, the 22d day of July A D 1862 to the said John P. Varser," as under execution; and if the proceeds of such sale be insufficient to satisfy the above judgment and costs, further Execution may be issued for the balance or for the debt against said defendant as the case may be.

V 2437 S. M. Swenson vs John S. Ford

This cause stands continued by operation of law.

V 2439 Thomas Freeman & Co vs Brown & Hamilton

Ordered that this cause be continued for service on defendant Hamilton.

V W 2496 R. A. Rutherford vs Amelia Brichta & C. V. Ezell:

Come plaintiff and defendant Amelia Brichta by attorney, and Plaintiff by attorney abandons so much of his Petition filed as seeks to set up and have enforced a lien on the property described in said Petition for the debt sued for: and defendant Ezell having been duly Summoned and failing to appear and answer, thereupon Came a Jury to wit, J. T. Cleveland and eleven others, who being duly empaneled & sworn, after hearing the evidence rendered the following verdict "We the Jury find for the Plaintiff against C. V. Ezell on the note for Principal $137.00, int. $ 80.23. Total $217.23. J. T. Cleveland. Foreman." Wherefore it is considered by the Court that Plaintiff take nothing by his complaint against defendant Amelia Brichta; and that she go hence there of without day; and that

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Plaintiff R. A. Rutherford recover of defendant C. V. Ezell the sum of Two hundred and seventeen $\frac{23}{100}$ Dollars with interest thereon at the rate of ten per centum per annum from this day till paid, and all the costs of this suit; for all which execution may be issued when allowed by Law.

√√ 2385 A. B. McGill vs John M. Leostley.

The motion of Defendant by attorney to set aside the verdict & judgment rendered against him in this cause and grant him a new trial, being heard and argued, it is considered by the Court that said motion be overruled; and said defendant by attorney appeals from said judgment to the Supreme Court, and in open Court gives notice thereof.

√ 2411 A. H. Barnes vs Joseph Harrell

For reasons appearing to the Court from the affidavit of defendant, it is ordered that this cause be continued.

Ordered that Court be adjourned till tomorrow morning 9 O'clock.

Wednesday. May 30th 1866.

Court was opened according to adjournment: Present the same Judge as on yesterday:

√ 2171 D. R. D. Cheesum & wife vs Martin W. Townsend

This day come the parties in the above entitled cause by their attorneys and agree that a consent decree be entered in said cause as per agreement filed in this cause, which is as follows to wit,

"D. R. D. Cheesum & wife vs M. W. Townsend: The parties in this cause by "their Attornies agree that a decree be entered in this cause on the "following basis:

"1st That decree be rendered in favor of Margaret Cheesum Plaintiff "for the land claimed in pleadings and that decree recorded has full effect "as deed from Townsend.

"2d That decree cancel the instrument sued on by plaintiffs and be declared "satisfied by this decree and cancelled.

"3d That decree be rendered against M. W. Townsend and Cecilia "Townsend his wife, and requiring them to satisfy the judgment rendered "against D. R. D. Cheesum and wife in cause N° 2083 in the District "Court of Travis County, if he has not done so, and that he claim "nothing in future by reason of satisfaction of said judgment and that said "Townsend & wife save the said Plaintiffs hereto harmless from all costs of said suit.

"4th That decree operate as a satisfaction of any claim which defen- "dant may have against Plaintiffs in form of store account of articles "furnished them prior to the institution of this suit.

"5th That decree finally adjudicate all claims between the parties "hereto growing out of the sale of a certain Slave named Clarissa, the "negro mortgaged and a part of the subject matter of this and the above "mentioned suit.

"6th. That Townsend pay costs of this suit.

"

"May 30th. 1866.

S. G. Sneed atty for M. W. Townsend
Robards for plaintiff.

It appearing to the satisfaction of the Court that the said agreement is regular and properly filed and that the

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parties are duly represented, it is therefore ordered, adjudged and decreed by the Court, that the defendant Martin W Townsend be divested of all right, title & interest in and to the tract of land described in the contract sued on and more particularly described in Plaintiff's amended petition and that the title to the same be and is hereby declared to be vested in the said Margaret Cheesum; and the said Martin W. Townsend is ordered and directed to make, execute, acknowledge and deliver to the said Margaret Cheesum a good and sufficient deed for said tract of land described in said pleadings, to wit, a tract of land containing three hundred and twenty acres to be taken off the South end of the W. L. Swan survey on the waters of Bull Creek in Travis County Texas adjoining the Philip Smith survey by an east and west line running through said Swan survey so that said three hundred and twenty acres of land may all be South of said east and west line with a general warranty of title therefor; and in the event that the said Martin Townsend shall fail to make, execute, acknowledge & deliver such a deed before the first day of the next Term of this Court, then a certified Copy of this decree may be recorded in the Office of the Clerk of Travis County which shall have the force and effect of a deed executed and authenticated as aforesaid. It is further ordered and decreed that the Copy of this decree may be recorded as aforesaid at any time, and have the force and effect aforesaid; and the option is given to the said Margaret Cheesum to record said judgment as a muniment of title or demand said deed, and either the judgment or the deed or both shall have the force and effect aforesaid when recorded as aforesaid.

It is further ordered, adjudged and decreed that the Plaintiffs in this cause be and are hereby divested of all further right, interest claim and demand against the said Martin W. Townsend which are set up by virtue of the Contract or agreement set forth in the Plaintiff's Petition and that said Instrument is fully and completely satisfied and discharged by this decree and said Plaintiffs shall take nothing in future therefrom, the same being hereby cancelled & discharged.

It is further ordered, adjudged and decreed that all claims which the said Martin W. Townsend & wife may have against said Margaret Cheesum or D. R. D. Cheesum growing out of or arising from a mortgage on a certain slave named Clarissa, sold by said Margaret Cheesum to the wife of said Townsend are hereby declared satisfied in full, and that the said Martin W. Townsend & wife shall not in future claim any thing against the said Plaintiffs by reason of his satisfaction of said Mortgage but that they pay off and satisfy the judgment rendered thereon if they have not already done so, said judgment more particularly described as a judgment rendered in Cause No 2083 in the District Court of Travis County at the January term 1861 thereof for $425 33/100 in which cause John V Bremond is Plaintiff, D. R. D. Cheesum & wife defendants and Martin W Townsend & wife are Intervenors, and further that the said Martin W. Townsend save the said D. R. D. Cheesum & wife harmless from all costs that may be, or may have been adjudged against them in said suit.

It is further ordered, adjudged and decreed by the Court that this judgment is to operate as a satisfaction and discharge of any claim which the said Martin W. Townsend may

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have against the said Plaintiff or wife in the form of a Store account and that said Townsend shall not in future take any thing from said Plaintiffs by virtue of any such claim for articles sold or delivered to said Plaintiffs prior to the institution of this suit.

It is further ordd. adjudged and decreed, that this judgment operate as a complete and entire satisfaction of all claims between the Parties to this suit growing out of the sale of the Slave Clarissa to the wife of said Martin W. Townsend and that neither of the Parties hereto have or recover any thing in future in that behalf.

It is further ordrd that said Martin W. Townsend pay the costs of this suit, for which Execution may be issued when allowed by law.

2441 T. G. ARe — vs — Nathaniel Moore

According to agreement of Parties by their Attorneys, it is ordrd that this cause be continued.

2450 W. A. Ryan — vs — J. C. McDavid et al

2451 Milton T. Duty — vs — Joanha E. Duty

2452 Samuel E. Holland — vs — Moses Jackson et als

Ordered that these causes be continued for Service.

2456 John M. Mays — vs — Margaret M. Mays

On motion of Plaintiff, he has leave to amend his Petition: and it is ordrd that this cause be continued for Service.

2465 Mary Buckner — vs — Thomas N Buckner

This cause stands continued that service may become perfect.

1473 A. H. Phillips — vs — J. S. Holman

Comes defendant by attorney and submits his motion to strike this cause from the docket: and after hearing the parties by their attornies, it is considrd by the Court that said motion be overruled; and to this opinion of the Court defendant by attorney excepts:

1633 The State of Texas — vs — Alfred — (freedman)

Comes the District Attorney, and the prisoner being placed at the Bar in charge of the Sheriff, pleaded "Not guilty": and thereupon came a Jury, to wit Ernst Raven, W.T. Patterson, B.O. Staveley, M.M. Long, J. G. Billingsley, H. Mofson, A. O. Horne Sr. L. Christian, O.H. Milligan, Eugene Bremond, A.B. Palm and George W. Glasscock, who being duly elected, empaneled tried and sworn, and having heard the evidence, arguments and charge of the Court, upon their oaths rendred the following Verdict, "We the Jury find the Defendant not guilty. E. Raven. Foreman": Wherefore it is considrd by the Court that this cause be dismissed, that the prisoner Alfred be acquitted and discharged, and go hence thereof without day.

1634 The State of Texas — vs — Jerry Peoples:

On the application of defendant by his attorney, it is ordrd that Attachment be issued for Peyton Hancock (freedman) Anderson Peoples (freedman) and George Seuemann, witnesses for defendant: and on application of the District Attorney

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it is ordered that Attachment be ifsued for John Dillingham, Aaron —(fudman) Salum —(fudman) and Asa McKinzie, witneſes for the State.

Ordered that Court be adjourned till tomorrow morning 9 O'clock.

Thursday May 31st 1866

Court was opened according to adjournment: Present the same Judge as on yesterday:

X

✓ 2455 S. W. Swenson vs John T. Pruitt & als:

On motion of Plaintiff by Attorney, the Sheriff has leave to amend his return upon the citation ifsued in this cause for J. B. Hammitt: which being accordingly done, on the further motion of Plaintiff by attorney, he has leave to amend his Petition: and on his further motion, this cause is continued for service.

✓ X 2463 S. W. Swenson vs J. H. Conner:

Come the parties by their attornies, and the matters of law arising upon the demurrer to the Petition of Plaintiff being heard, argued and maturely considered, it is ordered that said Demurrer be overruled: and the parties by their Attornies waiving trial by Jury, submit this cause to the decision of the Court: and the evidence being heard, it is considered by the Court that Plaintiff S. W. Swenson recover against defendant J. H. Conner the sum of Four Hundred and forty $\frac{21}{100}$ Dollars, with interest on $246\frac{87}{100}$ Dollars part thereof at the rate of eight per cent per annum from this day till paid, and on $193\frac{34}{100}$ remainder thereof at the rate of ten per cent per annum from this day till paid, and all the cost of this suit, for all which execution may be ifsued when allowed by law.

✓ 2467 John P. White vs A. J. Hamilton & als

On motion of Plaintiff by attorney, this cause is continued as on his affidavit.

✓ X 2476 George Hancock vs A. J. Hamilton

This Judgt is satisfied to a verdict of Two hundred and fifty dollars currency rendered by Clifft: Sept 7th 1865 Jno B. Costa Atty.

Come the parties by their attorneys and waiving trial by Jury, submit this cause to the decision of the Court: and after hearing the evidence, it is considered by the Court that Plaintiff George Hancock recover of defendant A. J. Hamilton the sum of Four Hundred and thirty two $\frac{56}{100}$ Dollars with interest thereon at the rate of ten per centum per annum from this day till paid and all the costs of this cause, for all which execution may be ifsued when allowed by law.

✓ 2459 Elisha Buck & wife vs J. J. Musgrove

For reasons appearing to the Court it is ordered that this cause be continued

✓ 2480 Robinson & Son vs John Hughes

Come Plaintiff by attorney and the Attorney for defendant, who withdrawing the plea by him heretofore pleaded, saith he is not instructed to plead further for said defendant in this behalf: and said defendant having been duly summoned, failing to appear and answer, after hearing the evidence, it is considered by the Court that Plaintiffs Robinson & Son recover of defendant John Hughes the sum of Four Hundred and forty $\frac{72}{100}$ Dollars with interest thereon at the rate of ten per cent per annum from this day till paid

and all the costs of this suit. for all which execution may be issued when allowed by Law.

2481 Martin E. Kingman vs B. P. Hollingsworth & als:

Come plaintiff & defendants Bowers & Chandler by Attorneys, and defendant Hollingsworth though duly summoned. failing to appear and answer, thereupon Came a Jury to wit, J. H. Herndon and eleven others, who being duly empanneled and sworn, and having heard the evidence. on their oath rendered the following verdict, "We the Jury find a verdict for the plaintiff as follows. against B. P. Hollingsworth as principle and M. H. Bowers and F. W. Chandler as endorsers amounting principal $100.00 Interest 55.69 Total $155.69. J. H. Herndon. Foreman." wherefore it is considered by the Court that Plaintiff Martin E. Kingman recover of defendants B. P. Hollingsworth, M. H. Bowers and F. W. Chandler the sum of One hundred and fifty five Dolears and Sixty nine cents with interest thereon at the rate of ten per centum per annum from this day till paid and all the costs of this suit. for all which execution may be issued when allowed by Law.

And it appearing to the Court from the verdict of the Jury that said defendants Bowers and Chandler are liable in this action only as endorsers, it is ordered that the Sheriff be directed in levying any Execution which may hereafter be issued on this judgment, to levy first on property of defendant Hollingsworth liable to execution situate in Travis County. and if a sufficiency be not found, then upon the property of said Bowers & Chandler for so much as may be necessary to satisfy this judgment. and in case said Bowers and Chandler or either of them by reason of their said liability shall be compelled to pay this judgment or any part thereof, the same shall not be thereby finally discharged, but shall remain in force against said defendant Hollingsworth for their use, and for so much as they or either of them may be Compelled to pay, may be prosecuted to execution for his or their use.

May 19 1866. Rec'd of A. Hamilton the amount of principal and interest in full of this judgment. in favor of Martin E. Kingman vs B. P. Hollingsworth et al. Clerk

2492 Amelia Brichta vs James Caulfield & al

For reasons appearing to the Court it is ordered that this cause be continued.

2494 John Bremond vs Jonathan Davis. Jr.

On motion of Plaintiff by Attorney he has leave to amend his Petition.

2499 P. De Cordova vs T. D. Moseley

According to agreement of parties it is ordered that this Cause be continued.

Ordered that Court be adjourned till tomorrow morning 9 O'clock

Friday June 1st 1866.

Court was opened according to adjournment. Present the same Judge as on yesterday:

2301 Amelia Brichta vs Jn. J. Beech:

Cop

Comes plaintiff by attorney, and the defendant having been duly summoned by publication and failing to appear and answer, and this action being founded on a liquidated demand proved by a note in writing, after hearing the evidence, to wit, the note in writing which is in words and figures

as follows, to wit:

$1365 77/100 Austin Apr. 9th. 1861

"For value received I promise to pay to W. W. Townsend, or bearer "the sum of One thousand three hundred and sixty five dollars "and Seventy Seven cents with interest at 10% after the 9th Oct. 1861. "until paid. Said payments to be as follows, viz to Commence twenty "Seven months after date and pay One hundred dollars each month "with the interest that has accrued on said hundred Dollars till "paid. Jno. J. Beech"

endorsed "W. W. Townsend" "Darden & Maynard", which is all the evidence in the cause, it is thereupon considered by the Court that Plaintiff Amelia Brichta recover of defendant John J. Beech the sum of One thousand nine hundred and ninety nine 25/100 Dollars, with interest thereon at the rate of ten per centum per annum from this day till paid.

And whereas it is certified to the Court by the affidavit of W. W. Townsend agent for plaintiff, and by Certificate of the Sheriff, that the Drugs medicines, fixtures &c described in the return of the Sheriff upon the Attachment ifsued in this cause and the Inventory thereto attached are likely to be wasted or destroyed by Keeping, it is therefore ordered by the Court that the Sheriff of this County proceed on the 13th day of June instant to sell the said Drugs, medicines, fixtures &c, in the same manner as Sales by Execution, and within five days thereafter return the order of Sale to this Court with his proceedings thereon, and that he pay over the proceeds of such Sale, reserving all costs and Commissions, to the plaintiff, her agent or Attorney; and if the proceeds of such Sale be insufficient to pay the above judgment, that (when execution is allowed by Law) further executions may be ifsued for the unpaid balance.

1634 The State of Texas vs Jerry Peoples (fm.c.)

Comes the District Attorney and the defendant being placed at the Bar in charge of the Sheriff, pleaded "not guilty" and thereupon came a Jury, to wit, A. R. Crozier, W. T. Patterson, J. B. Perry, B. O. Staveley, E. Raven, J. G. Billingsley, A. O. Horne Sen. O. H. Millicam, J. H. Keller, J. B. Hodspeth, A. H. Cook & J. Bostick, who being duly elected, empaneled, tried and sworn, and having heard the evidence, arguments of counsel and charge of the Court, retired to Consult of their verdict, and after some time returned into Court and declared that they could not agree in a verdict; whereupon, with the consent of the District Attorney and prisoner, it is ordered that the said Jury be discharged, and that this cause be continued. It is further ordered that the prisoner may be delivered to bail in the sum of Two hundred Dollars.

2301 Amelia Brichta vs Jno. J. Beech & M. D. Williams, garnee

Ordered that this Cause be continued as to the garnishee M. D. Williams.

2308 John P. Key vs William B. Coffee & als:

On motion of Plaintiff by Attorney he has leave to amend his petition: and this cause is continued for service.

District Court Minutes, Spring Term, June 1. 1866

1 V 2491 Watson Freeman vs Eldridge Perry et al

According to agreement of the parties by Attorney, it is ordered that this cause be continued.

1 X 2374 C. R. Johns vs T. D. Moseley et al

Come the parties by their Attorneys and waiving trial by Jury. submit this cause to the decision of the Court: whereupon after hearing the evidence it is considered by the Court that plaintiff C. R. Johns recover of defendants T. D. Moseley and S. W. Goodrich the sum of Three hundred Sixty two 38/100 Dollars with interest thereon at the rate of eight per centum per annum from this day till paid. and all the costs of this suit. for all which execution may be issued when allowed by Law.

Ordered that Court be adjourned till tomorrow morning 9 O'clock.

Saturday 2? June 1866.

Court was opened pursuant to adjournment Present the same Judge as on yesterday.

1585 The State of Texas vs E. Payton et als

Come James Moore one of the defendants in this cause, as principal and Elizabeth Moore and John Hancock as Sureties and acknowledged themselves to owe to the State of Texas Two Hundred & fifty Dollars, to be levied of their respective lands & tenements goods & chattels, but upon this condition, that if the said James Moore shall personally appear before the District Court of Travis County on the first day of the next Term of said Court, to answer to the indictment exhibited against him with others in this cause, and remain from day to day and from term to term until discharged by due course of law, then this recognizance is to be void, otherwise to remain in full force.

1 X 2018 Amos Morrill vs R. N. Lane et al

Come the Plaintiff and defendant Lane by Attorney, and thereupon came a Jury, to wit. J. H. Herndon & others, who being duly sworn and having heard the evidence, arguments and charges of the Court, upon their oath returned the following verdict, "We the Jury find for the Plaintiff and that defendant is liable for all costs of this suit. J. H. Herndon Foreman". wherefore it is considered by the Court that Plaintiff recover of said defendant Lane the sum of One thousand Dollars damages and all the costs of this suit, for all which execution may be issued when allowed by Law, Pltff in person releases the damages.

1 C 2300 Joseph Harrell vs R. J. Townes' Ex'or et al

Ordered that cause be continued as on affidavit of Defendants.

1 C 2410 Amos Morill vs Wm. Simpson

~~Ordered that the judgment this day entered in this cause be amended by prefixing the following:~~

The Demurrer & exceptions of Defendant to Plaintiff's Petition being heard and argued, it is ordered that the same be overruled: and said Defendant by his Attorney excepts: and the exceptions of Plaintiff to the answer of said Defendant being heard & argued, it is considered by

District Court Minutes, Spring Term, June 2- 4. 1866

the Court that the same be overruled, to which Plaintiff by his Attorney excepts: and the exceptions of said Defendant to the amended Petition or replication of Plaintiff being heard & argued, it is considered by the Court that the same be overruled, to which opinion of the Court, Defendant by his Attorney excepts: whereupon on motion of Plaintiff he has leave to amend.

Orders that Court be adjourned to Monday Morning 9 O'clock.

Monday. June 4th 1866

Court was opened according to adjournment Hon. I.B. McFarland Judge. presiding:

✓ 1473 A. H. Phillips ~ J. S. Holman

Ordered that this cause be continued as on affidavit of defendant.

✓ 1520 The State of Texas ~ G. W. Scott & alo.

For reasons appearing to the Court, it is ordered that this cause be continued.

✓ 1521 The State of Texas ~ A.B. Burleson &c

Come the parties by their Attornies and with their consent it is ordered that this cause be dismissed and that defendants pay all the costs thereof to be taxed.

1921 The State of Texas ~ John S. Thorn & als

1922 Same ~ Same

1925 Same ~ —— Evans & als

1934 Same ~ L. W. Gilliam & als

1937 Same ~ W. B. Covington & al

1940 Same ~ W. B. Covington

For reasons appearing to the Court, it is ordered that these causes be continued.

✓ 1992 Irene Blaylock ~ Fisk & Bowers.

S. G. Smith Jr. Esq. Plaintiff's attorney withdraws from the prosecution of this cause from this day. and asks that the same be entered of record.

✓ 2005 John T. Miller ~ O. O'Brien

For reasons appearing to the Court it is ordered that this cause be continued.

2104 The State of Texas ~ C. E. Barnard & al

2105 Same ~ Same

2106 Same ~ Same

2107 Same ~ A Manchaca & als

2108 Same ~ Same

2109 Same ~ W Bud Cotton & als

2110 Same ~ Same

2111 Same ~ Same

2112 Same ~ Same

2113 Same ~ Same

2114 Same ~ Same

2115 Same ~ Frank Cotton & als

2116 Same ~ W B Covington & als

Ordered that these causes be continued for service.

District Court Minutes, Spring Term, June 4th 1866

2117 The State of Texas vs W. B. Covington &c
2118 Same vs Same
2119 Same vs Same
2121 Same vs Same
2122 Same vs Same
2123 Same vs Same
2124 Same vs W. R. Henry &als
2125 Same vs Same
2126 Same vs Same
2127 Same vs Tom Ochiltree &als
2128 Same vs Same
2129 Same vs Same
2130 Same vs Ben Hines &als
2131 Same vs Same
2132 Same vs Same
2133 Same vs Same
2134 Same vs Same
2135 Same vs Same
2136 Same vs Jackson Martin &al
2137 Same vs B. F. Cotton &als
2138 Same vs Same
2139 Same vs Irving Root &als
2140 Same vs Same
2141 Same vs J. M. Wilkins &als
2142 Same vs Robt Thompson &al
2143 Same vs J. H. Anderson Sheriff &c
2144 Same vs James Harrington
2145 Same vs D. D. Bonner

Ordered that these causes be continued for service.

2243 The State of Texas vs Jno M. Swisher &al
2257 Same vs R. M. Johnson
2252 Same vs Thos H. Bacon
2278 Same vs Robert Smith
2283 Same vs A. J. Harrell

For reasons appearing to the Court it is ordered that these causes be continued.

2287 Brice Dillingham vs Amos Morrill

By agreement of the parties it is ordered that this cause be dismissed, each party paying half the costs thereof to be taxed.

2293 The State of Texas vs J. Miner
2295 Same vs F. B. Sawyer
2410 Amos Morrill vs Wm Simpson
2466 E. Amore vs Samuels & Mofson
2482 George Hancock vs Jacob Brown
2483 Same vs Matthew Brown

For reasons appearing to the Court it is ordered that these causes be continued.

2486 John P. Jones vs Mary J. Jones

On motion of Plaintiff by Attorney. The

District Court Minutes, Spring Term, June 4. 1866

Sheriff has leave to amend his return, and this cause is continued

√ V 2487 James M. Hale & al vs John D. Grumbles

Ordered that this cause be continued for service.

√ V 2494 John Bremond vs Jon^a Davis Jr.

For reasons appearing to the Court from the affidavit of Defendant, it is ordered that this cause be continued.

√ V X 2493 John J. Sneed vs D. B. Bullard & al

Come the parties by their Attornies and waiving the right of trial by Jury, submit this cause to the decision of the Court: and after hearing the evidence, it is Considered by the Court that plaintiff John J. Sneed recover of defendants D. B. Bullard and John H. Rose the sum of Three Hundred and five $\frac{75}{100}$ Dollars, with interest thereon at the rate of eight per centum per annum till paid and all costs of suit: for all which execution may be ifsued when allowed by Law.

√ V X 2497 R. A. Rutherford vs L. V. Ezelle & W. R. Baker

Comes again Plaintiff by his attorney and withdraws & abandons so much of his petition as proposes the enforcement of Vendor's lien, and on his motion it is ordered that the order heretofore made in this cause awarding a writ of Enquiry be set aside; and defendants still failing to appear and answer, and this action being founded on a liquidated demand proved by a note in writing, it is considered by the Court that plaintiff R. A. Rutherford recover of L. V. Ezelle and W. R. Baker the sum of One hundred and Sixty one $\frac{85}{100}$ Dollars with interest thereon from this day till paid and all costs of suit, for all which execution may be ifsued when allowed by Law.

√ V X 2500 Hiram Duty vs Geo. H. Todd

Come the parties by their attornies and a Jury, to wit, J. T. Cleveland and eleven others, having been duly sworn and having heard the evidence, on their oath returned the following verdict," We the Jury find for Plaintiff principal and interest $392 - J. T. Cleveland, Foreman" Wherefore it is considered by the Court that Plaintiff Hiram Duty recover of defendant George H. Todd the sum of Three hundred and ninety two Dollars, with interest thereon at the Rate of ten per centum per annum from this day till paid, and all costs of suit, for which execution may be ifsued when allowed by Law.

√ V 2501 B. & A. Luckett vs J. B. Perry

Ordered that this cause be continued as on affidavit of defendant.

√ V 2502 L. P. Houston vs Thos. J. Hill & als

√ V 2503 Same vs Thos. H. Jones & al

Ordered that these causes be continued for Service.

√ V 1733 C. A. Hopkins & al vs Amos Morrill

√ V 2513 Louisa Motton vs C. Wahrenberger & Bro & al

√ V 2514 John B. Costa vs Thos. Glasscock & al: For reasons appearing to the Court, it is ordered that these causes be continued.

District Court Minutes, Spring Term, June 4-5-6 1866

Ordered that Court be adjourned till tomorrow morning 9 O'clock

Tuesday. June 5th. 1866.

Court was opened pursuant to adjournment:
Present the same Judge as on yesterday:

2407 Amos Morrill vs D.K. Nevell 2 als.

Come the Parties by their attorneys and waiving the right of trial by Jury submit this cause to the decision of the Court: and the matters of Law arising upon the demurrer of Defendants to the petition filed in the cause being heard and argued. it is considered by the Court that said demurrer be ormuled; and after hearing the evidence it is further considered by the Court that Plaintiff take nothing further by his suit, but recover of defendants all the costs of this Cause to be Taxed.

2479 F. W. Schandler vs E. S. Berry:

Come the Parties by their attornies and a Jury to wit. J. T. Cleveland and eleven others. who being duly elected. tried and Sworn. and having heard the evidence arguments of Counsel and charges of the Court. retired to consult of their Verdict. and returning into Court. declared that they could not agree in a verdict: whereupon. with the consent of the parties it is ordered that the said Jury. from rendering a verdict in this cause. be discharged, and the cause continued

Ordered that Court be adjourned till tomorrow morning 9 oClock.

Wednesday June 6th 1866

Court was opened according to adjournment:
Present the same Judge as on yesterday.

1746 James R. Pace vs Wm. Blackwell Shff &c

For reasons appearing to the Court. it is ordered that this cause be continued.

1892 R. Butcher 2 als. vs C. H. Randolph Jr.

By agreement of Counsel it is ordered that the depositions heretofore filed in this cause may be withdrawn.

1978 Phillips & Smith vs Nancy H. Ragsdale.

For reasons appearing to the Court. it is ordered that this cause be continued.

2055 J. C. Kirby vs H. & C. Bagarly

Comes Plaintiff by attorneys. and the defendants having been duly summoned. and failing to appear and answer, it is considered by the Court. that Plaintiff recover against said defendants according to the prayer of his petition. upon the return executed of a Writ of enquiry which is hereby awarded.

2095 H. Groome vs Freeman & Holcomb
2155 J. H. Browning vs Barthalf Manuf? Co.
2157 L. D. Carrington & Co vs Edwin Walker 2 als.
2176 W. D. Scott vs W. Fams
2185 F. C. Stewart Com? vs C. L. Nitchske
2207 John F. Harmon vs Wm Fowler

For reasons appearing to the Court. it is ordered that these causes be continued.

District Court Minutes, Spring Term, June 6th 1866

√√ 2209 A. H. Cook vs Wm Wright et al

√√ 2224 W. W. & J. T. Brown vs. T. H. Jones et als

√√ 2266 W. W. McLaughlin vs C. V. Ezell et al:

For reasons appearing to the Court, it is ordered that these causes be continued.

√√ 2268 N. J. Staytons vs James Pugh

Ordered that this cause be continued as on affidavit of Plaintiff.

√√ 2298 Blackwell & Ricks vs S. W. Reed & Co

√√ 2309 W. H. Wheatfall vs Geo. Flournoy et al

For reasons appearing to the Court, it is ordered that these causes be continued.

√ √ X 2357 J. R. Billingsley Admr. &c vs Rutherford & Johnson

The matters of law arising upon the demurrer of defendants to the Petition in this cause being heard and argued, it is considered by the Court that said Demurrer be overruled: to which opinion of the Court, defendants by Attorney excpt: whereupon come the Parties by their Attornies and waiving the right of trial by Jury. Submit this cause to the decision of the Court: and after hearing the evidence, it is considered by the Court that plaintiff J. R. Billingsley Administrator of the estate of John Cook dec'd recover of defendants R. A. Rutherford and R. M. Johnson the sum of Three Thousand five hundred & twenty two $\frac{46}{100}$ Dollars with interest thereon at the rate of Twelve per cent per annum from this day till paid, and all the costs of this Cause: for all which Execution may issue when allowed by law.

√√ 2418 L. Krohn vs E. H. Holman et al

According to the agreement of the Parties by Attorney, it is ordered that this cause be continued.

√√ X 2434 Mary E. Payne vs Peter Cole:

On motion of Plaintiff by attorney it is ordered that this cause be dismissed and that Plaintiff pay all the costs thereof to be taxed.

√√ 2498 R. A. Rutherford vs Wilson & Ezell

Come the parties by their attornies (except defendant Ezell) and defendant Wilson by attorney moves the Court to quash the Service in this Cause: on Consideration whereof it is adjudged by the Court that said Motion be overruled: to which opinion of the Court. Said defendant by attorney excepts: and the matters of law arising upon the demurrer of said defendant to the Petition filed in this cause being heard and argued, it is adjudged by the Court that said demurrer be overruled: to which opinion of the Court said defendant by attorney excepts: And plaintiff by attorney withdraws & abandons so much of his petition as proposes the enforcement of Vendor's lien against defendant Ezell.

√√ 2507 E. Hansborough for use &c vs Eldridge Perry & wife

The matters of law arising upon the demurrer of defendants to Petition in this cause being heard and argued, it is considered by the Court that said demurrer be overruled: to which opinion of the Court defendants by attorney excepts: and on motion of Plaintiff by attorney it is ordered that this cause be continued

District Court Minutes, Spring Term, June 6. 1866

2018 Amos Morrill vs R.M. Lane et al

The motion of Defendant Lane for new trial having been heard & argued, it is considered by the Court that the verdict and judgment entered in this cause at this term be set aside, and that another trial of the cause be had at the next Term of this Court, till when this cause is continued.

And Plaintiff in Person in open Court give notice of intention to appeal to the Supreme Court.

2407 Amos Morrill vs Newell, Gatewood & Co

The motion of Plaintiff for new trial having been heard & argued, it is considered by the Court that said motion be overruled. And Plaintiff in Person gives notice in open Court of his intention to appeal to the Supreme Court.

1613 The State of Texas vs John Humphreys (fm)
1617 " Same vs P. Golden
1618 Same vs Renty Alexander (fm)
1620 Same vs Charles Woodridge
1621 Same vs — Jenkins
1622 Same vs — Michel
1623 Same vs Thomas Moran
1624 Same vs William Thompson
1625 Same vs Nat. Moore
1626 Same vs — Augustine
1627 Same vs John N Burleson, Jr.
1628 Same vs John B. Perry
1629 Same vs Jerry Rector
1630 Same vs Same
1631 Same vs Same
1632 Same vs John Turner

Ordered that these causes be continued for Service.

1634 The State of Texas vs Jerry Peoples

Come said Jerry Peoples as principal and John Hancock and C. S. West as Sureties and acknowledge themselves to owe the State of Texas Two hundred Dollars to be levied of their respective lands & tenements goods & chattels, upon the condition that if the said Jerry Peoples shall personally appear before the District Court of Travis County at the Court House on the first day of the next Term of said Court to answer to an Indictment for theft of a horse exhibited against him in said Court, and remain from day to day and from Term to Term until discharged by due course of law, then this recognizance is to be void, otherwise to remain in full force.

1636 The State of Texas vs Louis Elgin
1637 Same vs Celia Staveley
1638 Same vs J. Lupinger et als
1639 Same vs Lewis Horst

Ordered that these causes be continued for Service.

Ordered that Court be adjourned till tomorrow morning 9 Oclock.

District Court Minutes, Spring Term, June 7– 1866

Thursday 7th June 1866.

Court was opened according to adjournment.
Present the same Judge as on yesterday:

VV 1520 The State of Texas vs G. W. Scott Dals

Come as well the District Attorney as the defendants by attorney: and upon their agreement, it is ordered that the continuance of the cause heretofore entered at this term be set aside, and that the cause be dismissed at the Costs of Defendants.

VV 2196 A. Bahn agent vs P. De Cordova

For reasons appearing to the Court it is ordered that this cause be continued.

VV 2205 The State of Texas vs John H. Conner & alo:

Come as well the District Attorney as the Defendants by attorney, and upon their agreement ~~it~~ is ordered that the continuance of this Cause entered heretofore at this Term be set aside; that the Cause be dismissed and that the State of Texas recover against Defendants all the costs of the Cause to be taxed.

VV 2498 R. A. Rutherford vs D. M. Wilson & C. V. Eszell

Come the Parties by their Attorney, and waiving the right of trial by Jury, submit the Cause to the decision of the Court: whereupon it is considered by the Court after hearing the evidence, that Plaintiff R. A. Rutherford recover of defendants D. M. Wilson and C. V. Eszell the sum of Three hundred and ~~seventy~~ three $\frac{53}{100}$ Dollars with interest thereon at the rate of ten per centum per annum from this day till paid, and all the costs of this suit, for all which execution may be issued when allowed by law.

VV 1951 P. De Cordova vs John Crayton & als

The motion of Defendant Crayton for new trial being heard & argued, it is considered by the Court that the said motion be overruled: to which opinion of the Court, said defendant by attorney excepts, and gives notice in Open Court of intention to appeal to the Supreme Court.

VV 2247 F. T. Duffau vs A. J. Hamilton

VV 2248 R. J. Townes vs Same

By consent of parties by attorney, it is ordered that the hearing of defendants motion to dismiss these causes, be continued.

VV 2149 William H. Reed vs A. & A. McKenzie.

The motion of defendants for new trial being heard & argued, it is considered by the Court that said motion be overruled: to which opinion of the Court Defendants by attorney except, and in open Court give notice of intention to appeal to the Supreme Court.

VV 2341 J. D. McGary vs A. H. Cook

The motion of Defendant that the Court set aside the Verdict & Judgment rendered in this Cause and grant him a new trial, being heard & argued, it seems to the Court that there is no sufficient ground to sustain said motion, and the same is overruled, to which opinion Defendant excepts, and in open Court gives notice of intention to appeal to the Supreme Court.

District Court Minutes, Spring Term, June 7, 1866

1 X V 2343 J. D. McGary vs Geo. W. Glasscock

The motion of defendant for new trial being heard and argued, it is considered by the Court that said motion be overruled: to which opinion of the Court Defendant by Attorney excepts, and in open Court gives notice of intention to appeal to the Supreme Court.

✓ X 2344 J. D McGary vs Thos. H. Jones & als.

The motion of Defendants by attorney for new trial being heard & argued, it is considered by the Court that said motion be overruled: to which opinion of the Court the said Defendants by Attorney except, and in open Court give notice of Appeal to the Supreme Court.

✓ X 2344 J. D. McGary vs Thos. H. Jones & als

The motion of Defendants in arrest of Judgment being heard & argued, it is considered by the Court that said motion be overruled: to which opinion of the Court Defendants by Attorney excpt. & in open Court give notice of appeal to the Supreme Court.

✓ X 2312 J. M. Steiner vs J. S. Ford & c

The motion of W. G. Thomas & wife by attorney to reform the Judgment heretofre at this term entered in this cause being heard argued and maturely considered, and because it does not sufficiently appear to the Court that the Sum of $207 65/100 mentioned in the answer of the Garnishees J. M. Swisher & Co. is the property of defendant Ford, therefore it is adjudged by the Court that so much of said judgment as relates to said $207 65/100 be set aside & annulled, and that so far as relates thereto the said J. M. Swisher & Co. having fully answered, go hence without day: that the remainder of said judgment stand in full force: and if the proceeds of the sale therein directed be insufficient to satisfy the judgment herein and costs, further execution may be issued for the amount remaining unpaid.

✓ X 2498 R. A. Rutherford vs Wilson & Ezell

The motion of defendant Wilson for new trial being heard and argued, it is considered by the Court that the said Motion be overruled; to which opinion of the Court the said Defendant by Attorney excepts, and in open Court gives notice of intention to appeal to the Supreme Court.

✓ X 2174 Catherine Young vs David D. Young:

An motion of Defendant by attorney he has leave to amend his answer: and thereupon come the Parties by their Attornies, and a Jury. to wit. J. B. Banks and eleven others, who having heard the evidence, arguments and charge of the Court (having been duly sworn) upon their oath rendered the following verdict, "We the jury find the allegations set forth in plaintiff's Petition to be true, and find verdict for Plaintiff, J. B. Banks Foreman"- And the Court being satisfied that the verdict is sustained by the evidence, it is considered by the Court that the bonds of matrimony between the Plaintiff Catherine Young and the defendant David D. Young heretofore existing, be and the same are hereby dissolved: and the said Plaintiff Elizabeth Young is hereby divorced from the said defendant David D. Young.

District Court Minutes, Spring Term, June 7. 1866

And it further appearing to the Court by an agreement on file in the cause, that the said parties have adjusted the division of property, the said David D. Young having agreed to pay plaintiff Four Hundred and fifty Dollars in Stock Cattle and to pay fifty Dollars Costs of Suit herein, and the said Defendant to retain all other property whatever; and it appearing to the Court that said defendant has delivered to Plaintiff seventy eight head of Stock Cattle, which were received by her as full payment of said Four Hundred and fifty Dollars, and has paid the sum of Fifty Dollars Costs in this Suit, it is therefore ordered by the Court that said agreement be sanctioned, and that said Plaintiff hold said seventy eight head of cattle & all increase thereof as her own, free from all claim and right of Defendant therein which is hereby devested: and that defendant retain all other property owned and held by him, both his separate & the Community property, free from all claim & right of Plaintiff therein, which is hereby devested:

And it further appearing to the Court that as part of said agreement, said Plaintiff has agreed to surrender all claim to guardianship & control of their Child Patrick Henry Young, to the defendant, it is therefore considered by the Court that the custody & guardianship of the said minor Patrick Henry Young be and the same is hereby given to the said David D. Young, and that said Catherine Young be restrained from all interference therewith.

It is further ordered by the Court that Plaintiff recover of Defendant all the costs of this cause, to be credited by the sum of fifty Dollars already paid by him on account thereof, and that Execution may be issued for the balance, if any, when allowed by Law.

Ordered that Court be adjourned till tomorrow morning 9 O'clock

Friday June 8th A. D. 1866.

Court was opened according to adjournment:
Present the same Judge as on yesterday:
No business appearing for the action of the Court, it is ordered that Court be adjourned till Monday morning next at 9 O'clock.

Monday. June 11th A. D. 1866

Court was opened pursuant to adjournment:
Hon. J. B. McFarland, Judge, presiding:

Vt 1784 L. D. Carrington & Co vs F. Holt, claimant &c

Both parties to this cause having failed & refused to pay the Jury fee in this cause, it is ordered that the judgment entered therein on the 17th day of May last, be set aside as having been improvidently entered, that F. Holt, the claimant of the property in litigation be nonsuited and pay all the costs of this cause to be taxed.

Vt 2171 D. R. D. Cheesum & wife vs W. W. Townsend

Both parties to this cause having failed and refused to pay the Jury fee therein, it is ordered that the judgment entered therein on the 30th day of May last be set aside as having

District Court Minutes, Spring Term, June 11th 1866

been improvidently entered, that Plaintiffs be nonsuited. and pay all the costs of this cause to be taxed.

X

The Clerk of this Court presented the following statement as required by Law:

"A Statement of Jury Service at the Spring Term 1866 of Travis District Court:

Grand Jurors

	No of Days	amt		No of Days	amt
James P. McKinney	8	12 00	S. B. Summers	8	12 00
L. F. Millett	8	12 00	J. C. Pierce	8	12 00
L. B. Collins	8	12 00	J. A. Flack	8	12 00
Benj. Lehote	8	12 00	A. Biberstein	8	12 00
F. Hancke	8	12 00	William Bozeth	8	12 00
J. B. Rogers	8	12 00	S. M. Wright	8	12 00
W. Hardeman	8	12 00	Addison Smith	8	12 00
John Holland	8	12 00			

Petit Jurors

D. P. Kinney	2	3 00	James Phillips	10	15 00
E. D. Walker	1	1 50	George Seusman	2	3 00
Joseph Blum	2	3 00	Jacob Leifer	4	6 00
F. M. Warren	12	18 00	E. Raven	22	33 00
John H Robinson	15	22 50	Wade Henry	10	15 00
J. G. Billingsley	23	34 50	R. P. Wright	14	21 00
E. L. Freeman	10	15 00	Herman Mofon	2	3 00
A. O. Hane Sr.	23	34 50	John B. Perry	22	33 00
F. Everett	4	6 00	Joseph Newsom	20	30 00
Ben. Hennicks	1	1 50	Ed. Higby	7	10 50
Eugene Cohen	8	12 00	Eugene Bremond	14	21 00
John B. Banks	4	6 00	B. O. Staneley	22	33 00
Chs. Behnke	10	15 00	A. H. Cook	2	3 00
J. N. Hutchins	6	9 00	T. Bostick	6	9 00
J. H. Keller	12	18 00	J. B. Hedspeth	1	1 50
A. H. Millican	6	9 00	E. Christian	2	3 00
S. J. Wood	12	18 00	A. H Barnes	1	1 50
J. H. Hendon	14	21 00	E. Perry	1	1 50
J. T. Cleveland	17	25 50	E. S. Berry	1	1 50
R. M. Johnson	2	3 00	D. D. Bonner	1	1 50
E. Seidens	6	9 00	Wm Brown	1	1 50
J. P. Cope	3	4 50	Jacob Brown	1	1 50
D. W. C. Robinson	14	21 00	G. W. Glascock	2	3 00
W. T. Patterson	15	22 50	Alfred Smith	1	1 50
Jno. Dillingham	5	7 50	A. B. Palm	1	1 50
H. Johns	4	6 00			
M. M. Long	10	15 00			
W. S. Barnes	1	1 50			
A. K. Crozier	22	33 00			
J. M. Mansfield	14	21 00			
W. D. Sharp	4	6 00			
F. Smith	14	21 00			

District Court Minutes, Spring Term, 11 June 1866

The Clerk of the District Court of Travis County

1866 To Jury Fund Dr

June 11th. To this amount Jury fund rec'd on 107
Judgments rendered at this Term $3.00 each $321.00

Cr

By Commissions at 2½ pr Cent 8 02
" 72 Certificates at 10c each 7 20 15 22

Remains for distribution $305.78

which divided to 586 Days gives pro rata 52c (& a small fraction) per day.

Frank Brown. C. by G.W.G. Brown. D.C.

The foregoing Statement being examined & found correct, is approved.
June 11th. 1866. J.B. McFarland. Judge 2d Judicial District of Texas."

1610 The State of Texas vs Lem. Risher:

The prisoner in this cause having been since his conviction by the Jury, so severely wounded as to make it dangerous to his life to bring him into Court to receive Sentence, it is ordered, that the fact be spread on the record, and that he remain for Sentence in the Custody of the Sheriff.

1611 The State of Texas vs Dick —— (freedman)

The prisoner was again placed at the bar in the custody of the Sheriff, and being asked if he had any thing to say why judgment should not be rendered and sentence pronounced against him, according to the verdict of the Jury who tried his cause, replied that he had not: wherefor it is considered by the Court that Dick —— the prisoner at the bar, is and he is hereby adjudged to be guilty of Felony as in the Indictment against him in this behalf is alleged: and it is further considered by the Court that the said Prisoner be punished by confinement in the Penitentiary of the State of Texas for the term of two years as found in the Verdict of the Jury as aforesaid: and it is ordered that the Sheriff of this County do forthwith take the said prisoner and deliver him to the agent or Superintendent of said Penitentiary to be by him safely confined at hard labor for the Space of two years.

2419 Wm A. Blain vs Carr & Chandler.

The motion of Defendant Carr by attorney to set aside the order made in this cause at this Term, coming on to be heard, and said motion being argued and maturely considered, it is ordered by the Court that said motion be overruled.

2515 Geo. W. Sampson vs B. F. Anderson

Ordered that this cause be dismissed, the parties having settled the same.

1958 Susan L. Ward vs Thomas W. Ward

The motion of Plaintiff by attorney for Payment of alimony and for a receiver coming on to be heard, after hearing the arguments by counsel, it is considered by the Court, that, because it appears to the Court that there has accrued in this cause since the 15th day of June 1864 the sum of One thousand Seven hundred and ninety dollars as alimony up to

District Court Minutes, Spring Term, June 11th 1866

this day, the Plaintiff have and recover of said Defendant the said sum of One thousand seven hundred and ninety Dollars, for which execution may be issued when allowed by Law: and that hereafter. Defendant pay to said Plff alimony at the rate as before, of Seventy five Dollars per month, computing from this day.

1958 Susan L. Ward vs Thomas Wm Ward

For reasons appearing to the Court it is ordered that this cause be continued without prejudice to either party.

The foregoing minutes of the present Term of the District Court of Travis County, State of Texas having been read in open Court as the Statute requires, are hereby approved: and it is ordered that this Court be now adjourned and stand adjourned until the next regular Term.

O. M. Garland
Judge 2nd Judicial Distrct
of Texas

District Court Minutes, ... Term, ... 186

The State of Texas }
County of Travis } On this 14th day of August 1866. we Frank Brown Clerk of the District Court of said County and Eldridge Perry. Clerk of the County Court of said County in the presence of Leander Brown. Esq. a Justice of the Peace of said County. have proceeded as required by Law, at the Clerk's Office of said County to draw the names of twenty four persons duly qualified to attend at the next Term of the said District Court to serve as Jurors: whin the following named persons were drawn, to wit:

1. Jas. H. Matthews	9. John Stelfox	17. E. Francis
2. T. J. Kelly	10. S. Y. Banks	18. L. Bott
3. D. D. Bonner	11. H. M. Metz	19. S. T. Smith
4. John S. Brown	12. John G. Matthews	20. E. T. Walker
5. S. M. Cain	13. Henry Simigsohn	21. E. H. Fox
6. A. Piper	14. D. R. Payton	22. E. F. Neumann
7. J. H. Norwood	15. S. B. McCain	23. E. T. Eggleston
8. J. M. Hanson	16. D. Dichen	24. T. E. Cater

In witness whereof we hereto subscribe our names this 14th Day of August A. D. 1866.

Frank Brown. E. D. C. T. C.
by G. W. S. Browne D. C.
Eldridge Perry E. E. E. T. E.
by G. W. S. Browne. D. C.
Leander Brown J. P. T. E

Sfp: Ven: facias for }
Grand Jury Aug 23. 1866 }

District Court Minutes, Fall Term, Nov. 12th 1866.

The State of Texas } Be it Remembered, That on the 12th day of Novembr
County of Travis } A.D. 1866, the same being the 10th Monday after the first
Monday in September, A.D. 1866, and the time fixed by law for the meeting of the
Fall Term of the District Court of Travis County, the Judge of said Court not
appearing the Sheriff adjourned the Court till to-morrow morning at 9 o'clock.

Tuesday, Nov. 13th, 1866.

The Judge of the District Court of Travis County not appearing the Sheriff
adjourned the Court till to-morrow morning at 10 o'clock.

Wednesday, November 14th 1866.

Court convened at 10 o'clock, A.M. pursuant to adjournment. Present the
Hon. John Ireland, Judge of the Second Judicial District of the State of Texas.
B. Zimplemann, Sheriff of Travis County and Frank Brown, clerk of the
District Court of said County.

And thereupon the Court ordered the Sheriff to call
the names of the persons summoned to serve as Grand jurors at this
term of the Court; and a sufficient number not appearing it is further
ordered that the Sheriff summon a sufficient number of bystanders
to complete the panel. Which being done, the following named persons
appeared having been summoned as aforesaid, to wit:

W. J. Alford, J. M. Caldwell, John H. Wacker, 6. C. Browning, James A. Thompson,
Wm Armstrong, James A. Berry, Geo E. Davis, Jesse Burdett, 6. A. Piper, J. M.
Hairston, John Stefon, A. M. Metz, John J. Matthews, 16. Timmons, John, Jr. Brown,
E. T. Eggleston, E. Zimmerman, Daniel Smith, J. H. Matthews.

And thereupon the said jurors above named were each
of them examined as to their qualifications, and being found duly qualified
according to law to serve as Grand jurors were duly sworn, empannelled
and charged by the Court as Grand Jurors for and during the present Fall
Term of the District Court of Travis County, Texas.

And the Court having appointed James A. Thompson foreman of said Grand Jury, they retired for duty under charge of a bailiff duly sworn to keep secret their proceedings.

And thereupon It is ordered by the Court that the Criminal Docket be set for hearing and trial on Thursday, Nov. 22d, 1866.

187 Robert Mitchell } Plaintiff
& M. C. & J. Burdett } Defendants
} Ordered that the plaintiff in this cause have leave to amend

And thereupon It is ordered by the Court that the following named persons, who were summoned as jurors to attend at this term of the Court, and failed to appear in obedience to the summons, be fined in the sum of Twenty-Five Dollars each, 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 should not be made final against them as aforesaid, to wit: S. M. Cain, S. Y. Banks, J. B. McLain, E. Francis, L. Pott, S. T. Smith, G. H. Banks, Albert Brown, G. A. Burdett, Wm Armstrong, Joseph Barnhart and David Enright.

District Court Minutes, Free Term, Nov 14th 1866

98 Alex Thompson, et. al. v. C. S. C. Robertson et al. Continued

187 Robert Mitchell v. M. C. & J. Burditt. Continued by plaintiff.

201 Wm Donner & wife v. John Beck's Heirs. Ordered that this cause be sealed.

222. A Grumbles wife v. J. J. Grumbles et al. And now comes counsel for the Defendants, and suggests the death of J. J. Grumbles. Whereupon It is ordered that the representative of said Grumbles be made a party to this suit when known,

257. J. C. Stephenson et al. v. Sam'l Craft, Adm'r et al. Ordered that this cause be sealed

259. Edward Grumbles v. W. S. Oldham. The death of plaintiff being suggested it is ordered that the legal representative be made a party when known.

316. J. J. Grumbles v. Green & Pace. The death of the plaintiff being suggested, It is ordered that his representative be made a party when known.

403. James Park v. W. S. Oldham. Ordered that this cause be sealed.

560 E. F. Price v. M. Short. Continued.

882 H. P. Hill v Grumbles & Hamilton. The death of the plaintiff and of the defendant Grumbles being suggested, It is ordered that their legal representatives be made parties when known.

945 S. W. Duncan v. J. A. Burditt. This cause continued

986. Wm. F. Chapman v. Grumbles & Duncan. The death of the deft. Grumbles, being suggested, It is ordered that his legal representative be made a party when known.

1709. Phelps & Johnston v. J. C. Zuschlag, et al. Plaintiff has leave to amend.

1975. Phelps & Johnston v. W. P. Thorp, et. al. Plaintiff has leave to amend.

1989. Ellen Duval et al v. A. M. Dairdon et al. Defendant has leave to amend.

2035. J. M. Steiner v. W. W. McLaughlin, et. al. Plaintiff has leave to amend.

2161 S. C. Brashear, Adm'r v. R. J. Towne's adm'r. The death of the plaintiff in this cause being suggested, It is ordered that D. Hardy, adm'r of Jos Millican, be allowed to make himself party plaintiff herein, which is done.

2245. Wm Oliphant v. W. G. Johnson, et al. Ordered that the Deff. have leave to amend.

1037 A. G. Weir v. R. Craighead, et al. Continued.

1975 Phelps & Johnston v W. P. Thorp. Ordered that the Defendants have leave to amend.

2165. Mary Buckner v. Thomas Buckner. Ordered that plaintiff have leave to amend.

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

Thursday, November 15th 1866.

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

920 Francis Kelley v. Hall Medlin, et al. And now comes the attorney for the plaintiffs and announces the death of said Francis Kelley. And on motion, It is ordered by the Court that the surviving wife of the said Francis Kelley — Kelley, be allowed to prosecute this suit and that the Cause be revived.

1162 Arthur G. Wood v. E. M. Pease. Ordered that this Cause be continued.

1164 W. D. Thomson v. Chas't Augustus Reid. This cause continued.

District Court Minutes, Thursday Term, Nov 15th 1866

1288. Thomas J Blair v. Sidon A. Harris. And now comes plaintiffs counsel and suggests to the Court the death of the said Thomas J Blair It is therefore ordered by the Court that the representatives of said J Blair be made a party plaintiff to this suit when known

1299. F. Dietrich, Admr v. Glascock & Malotsky. Ordered that this cause be heard

1302 Joseph Newsham v. John Newsham. Ordered that this cause be continued

1303. North, Sherman & Co. v. Mitchell & Gibson And now come the counsel in this cause, and suggest the death of the defendant F M Gibson. It is therefore ordered that the cause be dismissed as to the said Gibson. And the plaintiffs and defendant Mitchell by attorney announce ready for trial. And the demurrer of said defendant coming on to be heard, and being argued and duly considered by the Court, It is ordered that the same be overruled. And the parties waiving a Jury, submit the case to the Court. And the pleadings and evidence being heard, and duly considered It is ordered that the plaintiffs take nothing in this behalf, that the defendant go hence and recover of and from the said plaintiffs all the cost in this behalf laid out and expended, for which execution may issue when authorized by law

1318 R. M. Tyner v. C W. McAnelly et al Ordered that this cause be continued to make party deft

1426 Sampson & Henricks v. Fisk. Ordered that this cause be heard

1459. J R Pace et al v. C R Johns et al. This cause continued.

1460 C. R. Johns et al v. J. R Pace et al. This cause continued

2211 T. P. Redding v. D. H Coleman. Ordered that the deft have leave to amend.

2320 R. M. Castleman v. Black & Morrill Ordered that the deft have leave to amend.

2504 J C Higgins vs R A Rutherford et al
It is ordered that the plaintiff have leave to amend,
It is ordered that the Court do now adjourn till tomorrow morning at 9 o'cl

Friday Nov 16th 1866. Court met pursuant to adjournment

1818 J J Miller vs M A Taylor. It is ordered that this cause stand continued

1819 H A Thompson et al vs A Ramsbotham et al
It is ordered that this cause be placed at the head of the docket and that the plaintiffs have leave to amend

District Court Minutes, Friday Fall Term, Nov. 16th 186

1872 R Butler etal vs L H Randolph Jr. It is ordered that this cause stand continued

1909 Thos B Watkins vs Jas M Burton. It is ordered that this cause stand continued to perfect service

1913 F D Barziza adm vs Jas J Coleman It is ordered by the court that this cause stand continued

1916 B J Collins vs Thos Guffin It is ordered that this cause stand continued

1920 Geo H Gray Chf Jus - vs W B Covington It is ordered that this cause stand continued

1955 Francis Minan vs Wm Fowler It is ordered that this cause stand continued

1960 Saml F Wheeler vs W P Newman heirs It is ordered that this cause stand continued

1961 Jas Wall vs Jas Brown It is ordered that this cause be dismissed on motion of plaintiff and that the defendant do have a account from said plaintiff, Judgment for all costs in this behalf expended for which Execution may issue

1965 William Bartlett vs Eli Bartlett It is ordered that this cause be dismissed for want of prosecution and that plaintiff pay all costs in this behalf expended for which Execution may issue

1973 Thos J Wood vs F M White, Com etal It is ordered that this cause stand continued

1528 J. L. Thompson v. J. Dyches etal It is ordered that this cause be heard.

1539 R. Williamson etal v S. H. Blount et al. Ordered that this cause be heard

1554 F Jordan v J. C. Hill. L D & S Daly, admrs Intes. Ordered that this cause be continued

1613 Maria R. Connor et al, v. Martha Smith et als. Ordered to be continued.

1625 J. L. Nichols v. C. Lockwood et als. Ordered to be heard

1631 Wm Alexander v. Thos. F. Chapman Ordered to be heard.

1669 H. Groom & wife v. B. F. Carter et als. Ordered to be heard.

District Court Minutes, Friday Fall Term, Nov 16th 1866

1671 J. A. Peagues v. S. P. Birt Ordered to be heeled.

1685 P. Wilcox et al v. E. M. Smith et al, Ordered to be continued

1693 T. J. Capidy Adm'r v. John King Ordered to be heeled.

1709 Phelps & Johnston v. J. C. Zuschlag Deft. A. Hancock & West & Hamilton & Sublett Intrs } It is ordered that this cause be continued

1743 N. G. Simmons v. D. C. & G. R. Freeman. Ordered to be heeled.

1746 James R Pace v. I. M. Blackwell Shff. Ordered to be heeled.

1752 Thomas Eborn v. W. R. Cannon's Adm'r. Ordered to be continued.

1760 W. M. Wilson v. J. F. Cleveland et als. Ordered to be continued

1774 Wm H Luckie v. John H Conner. Ordered to be continued.

1803 Charles Klein v. W. P. Rutledge et al. Ordered to be heeled.

1804 S. M. Swenson v. Mary E. Payne. Ordered to be heeled.

1807 Edward Grumbles v. B. Grumbles et als. Ordered to be heeled.

1816 James R. Stewart v. Shadrack Pearce et als. Ordered to be continued

1818 J. F. Miller v. M. A. Taylor. Ordered to be continued

1819 F. A. Thomson et al. A. Earnes Plff has leave to amend and cause heeled.

1842 M. C. Burditt v. G. H. & J. F. Burditt Adm'rs. Ordered to be heeled.

1759 H. M. Fizer v. Huling & Bunton } Plff / Deft. } In the above entitled cause the death of the Defendants Thos. B. Huling and James M. Bunton is suggested and therefore leave was given by the Court to make parties in said cause and it is ordered that said cause stand continued.

1733 C. A. Hopkins et als v. Amos Morrill } Plff / Deft } And now come the parties to this cause and the death of the Plff being suggested, it is ordered by the Court that Scire facias issue to Gonzales and Travis Counties to make his legal representatives parties to this suit, and that the cause stand continued to the next term of the Court.

District Court Minutes, Friday Fall Term, Nov. 16th 1866.

1747 A. B. Burleson } Plff } And now on this day come the parties
v. } to this cause and thereupon the Plff takes
John Burleson et al } Defts. } a non suit and prosecutes no further.
It is therefore ordered by the Court that the
Defendant go hence without day and that he have and recover
of and from the said Plff all the costs in this behalf expended
for which execution may issue as the law direct.

1695 A. J. Staten } Plff } It is ordered by the Court
v. } that this cause be dismissed
W. D. Milby Defs. & W. L. & C. L. Roberds & } Defts. } for want of prosecution.
Thos. H. Jones, Garnishees } And it is further ordered
by the Court that the Defendants recover of
and from the Plff all costs of suit in this behalf expended
for which execution may issue.

1473 A. N. Phillips } Plff } This day came the parties to this cause
vs. } by their Attorneys, the same being reg-
Jas. S. Holman } Deft. } ularly reached upon the Docket, and
Plaintiff announced himself ready for
trial, and thereupon came a jury of twelve good and lawful
men of Travis County, to wit: J. T. Cleveland and eleven others
who being duly empannelled and sworn according to law,
heard the pleadings read, the evidence introduced, and the arguments
of Counsel, and being Charged by the Court, retired to consider
their verdict and thereupon said jury came into Court and
presented their verdict to the Court, which is as follows-to wit:
" Petit Jury Room Nov. 15/66. We the jury find for the plaintiff.
A. N. Phillips
Principal $ 1594.12
Interest 338.29
Dollars 1932.41
J. T. Cleveland, Foreman.
It is therefore considered, ordered, adjudged and decreed
by the Court that the Plaintiff A. N. Phillips do have and recover
of and from the Defendant James S. Holman, the sum of Four
Thousand Nine Hundred and fifty two dollars and forty one
Cents, and interest thereon at the rate of 8 per. Cent. per annum
from the date hereof, together with all costs in this behalf expended
and that he have execution therefor.

19 Green L. Hill } Plff } And now at this day come the above
v. } named parties, plaintiff and defendant,
John H. Conner } Deft. } in the above entitled cause and an-
nounce themselves ready for trial.
and thereupon the parties by their Attorneys in open Court waived
a jury, and submitted the matter on the pleadings and evidence
to the Court, and thereupon the Court having inspected the pleadings
and heard the evidence, gave judgment for the plaintiff for the sum
of Three hundred and thirty five dollars, the same appearing to
be due and owing. and, Thereupon it is considered by the Court

District Court Minutes, Friday, Fall Term, Nov. 16th 1866

that the said Plaintiff do have and recover of and from the said Defendant, the sum of Three Hundred & Thirty five dollars, with interest on the same at the rate of ten per cent. from the rendition of this judgment until paid, and for all costs of this suit, for which execution may issue ~~as herein mentioned by law~~, and in accordance with law.

1844 A. Thompson et al v. W.D. Thompson et al. Ordered to be healed.

1885 W. G. Wallace v. D.C. Heffington. Ordered to be healed

1887 L. Fellman v. C.R. Johns & D. Blum Intr. Ordered to be healed.

1958. Susan L. Ward v. Thos Wm Ward. Ordered to be healed.

1993 J. Bledsoe admr. vs. P. W. & Jane Humphreys Heirs of Mrs. Fanton Intervenors } Plff / Defts — It is ordered by the Court that the Plff in this cause has leave to amend.

2018 Amos Morrill vs R. S. Lane et al } Plff / Defts. — It is ordered by the Court that this cause be dismissed. And it is further ordered that the Defendants in this cause pay all costs in this behalf expended, for which execution may issue.

1623 Wm R. Baker v D. J. Nichols } Plff / Deft — It is ordered by the Court that F. Carlton be appointed auditor in this cause, and the case stand continued.

And thereupon Court adjourned till tomorrow morning 9 o'clock.

Saturday, Nov. 17th 1866 Court met pursuant to adjournment. Present the same as on yesterday whereupon the following proceedings were had, to wit:

2368 Louis Elgin v Wm H. Blanton } Plff / Deff — It is ordered that the Defendant has leave to amend

2309 W. H. Westfall v. Geo. Fearnay et al } Plff. / Defts. — It is ordered that Plaintiff has leave to amend.

2314 Emmeline Baldwin v John Baldwin } Plff / Deft. — It is ordered that the Plaintiff have leave to amend.

2456 Jno. M. Mayo v. Margaret M. Mayo } Plff / Deft. — Ordered that F. Carlton be appointed Counsel for the defence.

District Court Minutes, Saturday Fall Term, Nov. 17 1866

+2529 George Hancock } Plff } And now at this day comes the plff
vs. } } in the above entitled cause, and it
Ed. Harrington } Deft. } appearing to the Court, that the said
Defendant Ed. Harrington he being duly
and legally served with process and wholly makes default, and it
appearing that the cause of action is evidenced by an instrument
of writing shown to the Court. It is Considered by the Court, that the
said Plff George Hancock do have and recover of and from
the said Defendant Ed. Harrington the sum of Eight hundred and
fifty five 30/100 dollars ($855.30) the same appearing to be justly due
with ten per Cent interest on the same from the date of this
judgment, together with all the costs in this behalf expended, for all
which execution may issue in accordance with law.

V 2527 James Casner } Plff } It is ordered that this cause be
v } } Continued for Service
William Bankman } Deft. }

V 2533 David Deshler v. Ann E. Parsons - Sheriff has leave to amend return.

V 2539 C. B. Maynard v. Mrs. E. Mitchell et al - Continued for service.

V 2541 Bennett & Co. v. Blocker et al. Continued for Service.

X 2534 Wm. C. Browning } Plff } In this cause appeared the plaintiff
v } } by his Attorneys, but the defendants
E. M. Earnest et al } Defts. } Came not, though legally served with
process in this case, and it appearing to the Court
that the defendants E. M. Earnest and William Earnest have
failed to appear and file demurrer or answer in this cause
within the time prescribed by law, but wholly made default, and
it further appearing to the Court that this suit is founded upon
a liquidated demand, to wit: a promisory note. It is therefore
ordered, adjudged and decreed by the Court that the plaintiff
William C. Browning do have and recover of and from the
Defendants E. M. Earnest and William Earnest the sum of
Eight hundred and Eighty three dollars for his principal
debt and interest up to this day, with eight per cent interest
from this date until paid, with all costs of this suit in this
behalf expended for which execution may issue.

+2535 William C. Browning } Plff } In this cause appeared the plain-
V. } } tiff by his Attorneys, but the de-
R. P. Wright et al } Defts. } fendants Come not, though legally
served with process in this case and it appearing
to the Court that the defendants R. P. Wright and E. M. Earnest have
failed to appear and file demurrer or answer in this cause
within the time prescribed by law, but wholly made default, and
further appearing to the Court that this suit is founded upon
a liquidated demand, to wit: a Note of hand. It is therefore
ordered, adjudged and decreed by the Court, that the plaintiff

District Court Minutes, Saturday Fall Term, Nov. 17th 1866

William C. Browning do have and recover of and from the defendants, R. P. Wright and E. M. Earnest the sum of Five hundred and Ninety three dollars for his principal debt and interest up to this date, with eight per cent interest from this date until paid, with all costs of this suit in this behalf expended for which execution may issue.

✓ 2537

F. H. Chandler, Admr. } Plff
v. } Pff
A. W. Morrow et al } Defts. } Defts

In this cause appeared the plaintiff by his Attorneys, and it appearing to the Court that the defendant A W Morrow had been legally served with process in this case, and it further appearing to the Court that the defendant A. W. Morrow has failed to appear and file demurrer or answer within the time prescribed by law, but wholly made default, and the defendant A. S. Walker has answered waived a Jury and submitted the cause to the Court, and it appearing to the Court that this suit is brought upon a liquidated demand, to wit: a note of hand. Whereupon, after hearing the evidence introduced by the parties, it is ordered adjudged and decreed by the Court, that the plaintiff, F. H. Chandler, Admr. of John Hemphill deceased do have and recover of and from the defendant A W. Morrow as principal and A. S. Walker as surety and endorser the sum of one hundred, fifty three and 5/100 dollars. for his principal, debt and interest up to this date with eight per cent interest from this date until paid with all costs of this suit in this behalf expended for which Execution may issue.

✓ 2417

John W. Lawrence et al } Plffs
v. } Pff
Anne M. Smith et al } Defts. } Defts

This day came the plaintiffs in the above cause by their Attorneys, and it appearing that the defendants Anne M. Smith, Robert M Garvin, and the unknown heirs of John E. Garvin deceased having been legally cited to appear, have failed to appear and answer in this behalf but have wholly made default. It is considered by the Court that the plaintiffs John W. Lawrence and M. C. Browning administrator of the estate of R. F. Browning deceased, ought to have and recover of the defendants Anne M. Smith Robert M. Garvin and the unknown heirs of John E. Garvin, and it appearing that the cause of action is not liquidated and proven by an Instrument of writing, a writ of Inquiry is hereby granted.

✓ 2411

Kenner Rector } Plff
v. } Pff
C. V. Egell } Deft. } Deft

This day came the plaintiff by his Attorney, and the said defendant C. V. Egell having been legall cited, has failed to appear and answer in this behalf, but wholly made default. Whereupon the said Kenner Rector ought to have and recover against said C. V. Egell his damages as claimed in his petition, and it appearing to the Court that the cause of action is liquidated and proven by an Instrument of writing, it is ordered that the Clerk do asses

the damages sustained by said plaintiff and the said Clerk now here having assessed the damages aforesaid at the sum of $457- It is therefore considered by the Court that the plaintiff Renner Rector do have and recover of the said E. V. Ezell the sum $457- with interest at the rate of ten per cent per annum, together with his costs in this behalf expended, and that he have his execution therefor.

J

↓ 2472

J. M. Steiner vs. W. L. Chalmers } Pltff vs Deff } This day came the plaintiff by his attorney and on motion it was ordered that the Sheriff have leave to amend his return, and the defendant having been legally cited, has failed to appear and answer in this behalf but wholly made default. Wherefore the said J. M. Steiner ought to recover against the said W. L. Chalmers his damages as claimed in his petition, and it appearing to the Court that the cause of action is liquidated and proven by an Instrument of writing. It is ordered that the Clerk do assess the damages sustained by said plaintiff, and the said Clerk now here having assessed the damages aforesaid at the sum of $190 63/100. It is therefore considered by the Court, that the said Plaintiff, J. M. Steiner do have and recover of the said defendant W. L. Chalmers the sum of $190 63/100 with interest at the rate of ten per cent per annum, together with his costs in this behalf expended, and that he have his execution therefor.

U

↓ 2471

J. M. Steiner vs. W. L. Chalmers & wife } Pltff vs Defts } In District Court, Fall Term, for Travis County A.D. 1866 Nov. 19 1866. This day came the plaintiff in the above cause by his attorneys and on his motion the Sheriff has leave to amend his return, and the death of the defendant Mary J. Chalmers being heretofore suggested, on motion of plaintiffs attorneys, it is ordered that said cause be dismissed as to the said Mary J. Chalmers, and it further appearing to the Court, having been legally cited, that the said defendant W. L. Chalmers has failed to appear and answer in this behalf, but wholly made default, Therefore the said J. M. Steiner ought to recover against the said W. L. Chalmers his damages claimed, and it appearing to the Court that the cause of action is liquidated and proven by an Instrument in writing, It is ordered that the Clerk do assess the damages sustained by said plaintiff, and the said Clerk now here having assessed the damages aforesaid at the sum of $153.03. It is therefore considered by the Court that the said plaintiff do have and recover of the said defendant W. L. Chalmers the sum of $153.03, with interest thereon at the rate of 8 per cent per annum, together with his costs in this behalf expended, and that he have execution therefor. It is further ordered that the plaintiff have leave to withdraw the note sued on and filed in this cause.

V

↓ 1975

Phelps & Johnston vs. W. P. Harper & Josiah Fisk } Pltff. vs Defts. } In District Court Fall Term A.D. 1866 for Travis County. November 16th 1866

District Court Minutes, Saturday Fall Term, Nov. 17 1866

This day said cause coming on for hearing, came the parties by their attorneys and the defendant Thorp by his Attorneys, and upon argument of Counsel, the Court being satisfied that the exceptions of Plaintiffs to defendant Thorps answer, were improperly made, overruled the same, thereupon came a jury of good and lawful men, to wit: O. H. Millican and eleven others, who being duly empannelled and sworn, well and truly to try the ipues between the parties aforesaid, and upon hearing the evidence, argument of Counsel and Charge of the Court retired to consider their verdict, and returned the following verdict - to wit: " Petit Jury room Austin Nov. 16th. We the jury find for the plaintiffs the amount of the original sum due on the notes $194.2/100
and interest on the same to date 232.17
as the amount due plaintiffs against Tharp and $527.10
Fisk, and we find further that the lien for said debt shall be upon the balance of the said land after taking out the 200 acres for the homestead - O. H. Millican, Foreman "

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Phelps & Johnston } Pffs } November 17th 1866.
v. } }
W. P. Tharp et al } Defts. } This day came the plaintiffs by their Attorneys and the Defendant by his Attorneys, and the plaintiffs moved to set aside the verdict rendered in said cause on the 16th day of November 1866, and for judgment against the defendants, as per agreement made in open Court, to the following effect, to wit: It is agreed between the plaintiffs and defendant Tharp, parties to this cause, that plaintiffs shall have judgment against the defendant Tharp for Five hundred and twenty Seven dollars and ten Cents. It is further agreed that plaintiff shall have a decree of foreclosure of the vendors lien of all the land set forth and described in plaintiffs petition, and that the same shall be sold to satisfy said judgment, in the mode and manner prescribed by law in such cases made and provided provided that said tract of land less that portion of the same claimed by the defendant Tharp as set forth in his answer, shall first be offered for sale, and sold by the Sheriff, and in the event that the proceeds of such sale shall be insufficient to discharge and satisfy said judgment, interest thereon and all costs, then that portion of said tract of land claimed as a homestead as aforesaid by defendant Tharp shall be offered for sale on the same day and sold by the Sheriff as aforesaid, and the proceeds thereof applied to the payment and satisfaction of such balance on said judgment, interest thereon and costs, and if there be an excess of such proceeds after such payment and satisfaction the Sheriff shall pay over such excess to the defendant Tharp and it appearing to the satisfaction of the Court that the lien is on all of said tract of land including the alleged homestead was for the original purchase money of the entire tract of land including said alleged homestead, and that said sum is for the balance due on said purchase money.

And it appearing further to the satisfaction of said Court that the defendant Josiah Fisk was legally cited to answer said

plaintiffs petition, and having failed to appear and answer in this behalf, but wholly made defaults. And it further appearing to the satisfaction of the Court that the cause of action is liquidated and proved by an Instrument of writing. It is ordered that the Clerk apiss the damages sustained by the said plaintiffs by reason of a non performance of the promises of the defendant Fisk as alleged in plaintiffs' petition, and the said Clerk now here having apiss'd the damages last aforesaid at the sum of $527.10 dollars. It is therefore ordered, adjudged and decreed by the Court, that the said plaintiffs John Phelps and Wesley Johnston do have and recover of the said defendants W. P. Tharp and Josiah Fisk the sum of Five hundred and twenty Seven dollars and ten cents with interest thereon at the rate of ten per cent per annum from the date hereof, together with all costs in this behalf expended, and that they have their execution therefor as prescribed by law. It is further Ordered adjudged and decreed by the Court that the lien aforesaid, on the tract of land described in said plaintiffs' petition as follows, to wit: being a part of the Headright grant to James D. Good, situated in Travis County and State of Texas, beginning at a stone mound 653 varas from the South West Corner of F. G. Secrits' Survey and the S. W. corner of the tract sold by the said Fisk to Ernest Raven out of this Survey. Thence North 30 degrees East 1900 varas to a stone mound from a Live Oak ten inches in diameter bears South 76 degrees West 15 varas. Thence North 60 degrees West 1024 varas to a stone mound in the South line of the Wm. J. Baker Survey from which a Live oak bears South 50 degrees East 13 varas. Thence South 71 degrees West 1480 varas to the North East Corner of the James Stonelth Survey to a stone mound from which a live oak bears South 6 degrees West 8½ varas. Thence South 19 degrees East 1194 varas to a stone mound. Thence South 60 degrees East 1199 varas to a stone mound the place of beginning, containing 514½ more or less, being the same now occupied by the said defendant W. P. Tharp, be foreclosed and that the same be sold by the Sheriff of said County in the mode and manner prescribed by law Subject to the delay and conditions prescribed by law in such cases made and provided. provided that it is further ordered, adjudged and decreed that the said Sheriff shall first offer for sale, and sell as aforesaid the above described tract of land less 200 acres claimed as a homestead by said W. P. Tharp as follows, to wit: a Survey of 200 acres of land made at the request of W. P. Tharp being part of the Good Survey, situated in Travis County, on the head of Walnut Creek, Beginning at a stone mound the North West Corner of Ravens tract off of said Good's Survey. Thence North 60 degrees West 1130 varas to a stone mound from which a Live Oak 12 inches in diameter bears 36 degrees West 17 varas, another Live oak 17 inches in diameter bears South 9¾ degrees West 11 varas. Thence N. 30° E. 1196 varas to a stone mound from which a Black Jack 10 inches in dia. bears N. 22° W. 27 varas, another 12 inches in dia. bears N. 35½ degrees W 25 varas. Thence S. 60 degrees E. 1130 varas to a stone mound on the W. line of said Ravens tract from which a

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Live oak 13 inches in dia. bears N. 5½ degrees E. 11 varas and a ditto 12 inches in dia. bears S. 61¾ W. 13 varas. Thence S. 30 W. 1096 varas to the place of beginning, containing 314 acres exclusive of said homestead, and the proceeds thereof shall be applied to the payment and satisfaction of said judgment interest thereon and costs. And in the event that such proceeds of said sale shall be insufficient to discharge and satisfy the same, then the Sheriff shall offer for sale and sell the above described 200 acres, on the next regular sale day, claimed as a homestead as aforesaid, and apply the proceeds thereof to the discharge and satisfaction of the balance due on said Judgment interest thereon and costs. And in the event there shall be an excess of such proceeds of sale, after such discharge and satisfaction, then he shall pay over such excess to said defendant Sharp. It is further Ordered that the said Sheriff shall advertise the entire tract of land for sale including the homestead for sale on the same day as provided by law, and first offer and sell the said tract of land less the said 200 acres, and then the said 200 acres as aforesaid, shall be advertized and sold at the next sale day as aforesaid.

↓1067	John Edgar } Pltff v. } 2 J. Nichols } Deft.	}	This day came the parties in the above cause and motion for rule for costs being entered, and pltffs Counsel being present and notified, It is ordered that the same be Continued.
↓1993	J. Bledsoe admr. } v. } W. P. Pane Humphreys } Heirs of Mrs. Fanita Dubernus }	} Pltff } Defts.	} Death of W. J. Griffin Suggested and leave granted to make parties, and ordered that this cause be Continued.
↓ ↓1992	Irena Blaylock } Pltff v. } Fisk & Bowers } Defts	}	It is ordered that this cause be dismissed for non Compliance with rule for costs. It is therefore ordered that Pltff pay all costs in this behalf expended for which execution may issue
↓2314	Emeline Baldwin v. John Baldwin. Order that Deft have leave to amend		
↓ ↓2337	Amos Morrell } Pltff v. } A. H. Cook } Deft.	}	It is ordered by the Court that this cause be dismissed and it is further ordered by the Court that Deft pay all costs in this behalf expended for which execution may issue.

It is ordered that Court do now adjourn till Monday morning 9 o'clock

Monday, Nov. 19th 1866- Court met pursuant to adjournment. Present the same as on Saturday. Whereupon the following Proceedings were had to wit.

District Court Minutes, Monday Fall Term, 19th 1866

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D.R.D. Chezum & wife } Plffs } In District Court for Travis County
v } } Fall Term A.D. 1866.
Martin W. Townsend } Defr. } This day came the plaintiffs and defendant by their Attorneys, and on motion judgment and decree is rendered in said cause as per agreement filed as follows, to wit: There was a judgment entered at the Spring Term A.D. 1866 of the District Court of Travis County in accordance with this agreement, said judgment was set aside and the plaintiff now suited because of failure to pay the jury fee. It is agreed that said judgment be reentered at the Fall Term 1866 of the District Court of said County in the same form and effect as the judgment heretofore entered, and that said cause be reinstated on the docket for that purpose. The judgment which shall be entered shall adjudge costs against the plaintiffs for whatever costs accrue or are taxed for reinstating said cause and reëntering said judgment.

Austin July 23rd 1866. T. J. Trued, Attorney for Townsend
W. L. & C. L. Robards Attys for Chezum

The said Judgment is as follows to-wit:- " D.R.D Chezum & wife vs. Martin W. Townsend - This day came the parties in the above entitled cause by their Attorneys and agree that a consent decree be entered in said cause as per agreement filed in this cause which is as follows-to wit. " D.R.D. Chezum & wife vs. M.W. Townsend
" The parties in this cause by their Attorneys agree that a decree be
" entered in this cause on the following basis -
" 1st That decree be entered in favor of Margaret Chezum plaintiff, for
" the land claimed in the pleadings and that decree recorded has full
" effect as deed from Townsend - 2nd That decree cancel the instrument
" sued on by plaintiffs and be declared satisfied by this decree and
" Cancelled. 3rd That decree be rendered against M.W. Townsend
" and Cicilia Townsend his wife and requiring them to satisfy the
" judgment rendered against D.R.D. Chezum and wife in cause No
" 2083 in the District Court of Travis County, if he has not done so,
" and the he claim nothing in future by reason of satisfaction of said
" judgment, and that said Townsend and wife save the said
" plaintiffs hereto harmless from all costs in said suit.
" 4th That decree operate as a satisfaction of any claim which
" defendant may have against plaintiffs in favor of store accounts
" of articles furnished them prior to the institution of this suit.
" 5th That decree finally adjudicate all claim between the
" parties hereto growing out of the sale certain slave named Clarissa
" the Negro mortgaged, and a part of the subject matter of this
" and the above mentioned suit. 6th That Townsend pay costs
" of this suit." T. J. Trued Atty for Townsend
May 31st 1866 Robards for Plaintiffs. "

It appearing to the satisfaction of the Court, that the said agreement is regular and properly filed and that the parties are duly represented. It is therefore Ordered, adjudged and decreed by the Court, that the defendant Martin W. Townsend be divested all right, title and interest in and to the tract of land described in the Contract sued on, and more particularly described

in plaintiffs' amended petition, and that the title to the same be, and the same is hereby declared to be vested in the said Margaret Chrisum. That the said Martin W. Townsend is ordered and directed to make, execute and deliver, and acknowledge to the said Margaret Chrisum, a good and sufficient deed for said tract of land described in said pleadings, to wit: A tract of land containing three hundred and twenty acres to be taken off the South end of the W.L. Swan Survey on the waters of Bull Creek in Travis County, Texas adjoining the Philip South Survey, by an East and West line running through said Swan Survey, so that said three hundred and twenty acres of land may all lie South of said East and West line with a general warranty of title therefor. And in the event that the said Martin Townsend shall fail to make, execute acknowledge and deliver such a deed before the first day of the next term of this Court, then a certified copy of this decree may be recorded in the office of the Clerk of Travis County which shall have the force and effect of a deed executed and authenticated as aforesaid. It is further ordered and decreed that the copy of this decree may be recorded as aforesaid at any time and have the force and effect aforesaid, and the option is given to the said Margaret Chrisum to record said judgment as a muniment of title, or demand said deed, and either the judgment or the deed, or both shall have the force and effect aforesaid when recorded as aforesaid.

It is further ordered adjudged and decreed That the Plaintiffs in this cause be and are hereby divested of all further right, interest, claim and demand against the said Martin W. Townsend, which are set up by virtue of the contract or agreement set forth in the Plaintiffs' petition, and that said instrument is fully and completely satisfied and discharged by the decree, and said Plaintiffs shall take nothing in future therefrom the same being hereby cancelled and discharged.

It is further Ordered, adjudged and decreed that all claims which the said Martin W. Townsend and wife may have against said Margaret Chrisum or D.R.D. Chrisum growing out of or arising from a mortgage on a certain slave named Clarissa sold by said Margaret Chrisum to the wife of said Townsend are hereby declared satisfied in full. And that the said Martin W. Townsend and wife shall not in future, claim any thing against the said Plaintiffs by reason of his satisfaction of said Mortgage but that the said Martin Townsend and his wife Cicilia pay off and satisfy the judgment rendered thereon, if they have not already done so. Said Judgment more particularly described as being a judgment rendered in cause No. 2083 in the District Court of Travis County, at the January Term 1861 thereof for $425 33/100 in which cause John Bremond is Plaintiff, D.R.D. Chrisum and wife and Martin W Townsend and wife are Intervenors and further that the said Martin W. Townsend save the said D.R.D. Chrisum and wife harmless from all costs that

may have been adjudged against them in said. It is further Ordered adjudged and decreed by the Court that this judgment is to operate as a satisfaction and discharge of any claim which the said Martin W. Townsend may have against the said Plffs or wife in the form of a store account, and that said Townsend shall not in future take any thing from said Plaintiffs by virtue of any such claim for articles sold or delivered to said Plaintiffs prior to the institution of this suit.

It is further Ordered, adjudged and decreed that this judgment operate as a complete and certain satisfaction of all claims between the parties to this suit, growing out of the sale of the Slave Clarissa to the wife of said Martin W Townsend, and that neither of the parties hereto have or recover anything in future in that behalf. It is further Ordered that said Martin W. Townsend pay the costs of this suit, for which execution may issue when allowed by law." It is further Ordered that said Judgment and decree shall have the same force and effect as if the said Judgment and decree heretofore rendered had not been set aside. ~~It is further Ordered~~ and that the same now be entered now for then. It is further Ordered that Plffs. pay all costs for reinstating said cause on the docket and re-entering said Judgment.

Now on this day came and appeared in open Court, the Grand Jury of Travis County, duly empannelled, sworn and charged for and during the present term of this Court, and through their foreman Jas. A. Thompson presented to the Court the following Bills of Indictments - to wit:

1641 State of Texas v. John Conney - Permitting gaming in a house under his control
1641 do. v. do. Permitting gaming in a house under his control
1642 do. v. do. Permitting gaming in a house under his control
1643 do v do. Permitting gaming in a house under his control
1644 do. v. Oscar Friedman) Theft.
1645 do. v. Carl - Playing cards in a grocery
1646 do. v. Walter & the baker. Playing Cards in a grocery
1647 do. v. do. Playing cards in a grocery
1648 do v. Dohme & Bahnke - Permitting gaming
1649 do v Estes & Blount - Betting at Faro.
1650 do. v Dohme & Bahnke, Permitting gaming
1651 do. v George Martin & Smith - do do.
1652 do. v. Herman Green - Playing cards
1653 do v. Jack & Gorman - do. do.
1654 do v. do. do do.
1655 do. v. John Eichel - do. do.
1656 do v. - Schilling - Permitting card playing
1657 do. v. do. do. do. do.
1658 do. v. - Schultz do. do do.
1659 do. v. Dohme & Bahnke do. do do

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1660½	State v. Henry Alexander —	Theft
1661	do. v. Billy Wilson (freedman)	do.
1662	do. v Moses Swisher do.	do.
1663	do. v. — Perry —	Using an estray &c.
1664	do v — Stanley —	Permitting gaming
1665	do. v Chas Smith —	Exhibiting a banking game
1666	do v. Wheelock & Bellamy —	Betting at faro —
1667	do v. — √ Keller —	Permitting Card playing
1668	do. v. √ do.	do do do
1669	do. v √ Schultz	do do do.
1670	do v. √ — Keller	do do do.
1671	do. v. √ — DeSchultz	do. do do.
1672	do. v Susman	do. do do.
1673	do. v √ Schultz	do do do
1674	do v. √ Prefler —	do. do do.
1675	do v. √ — Keller	do. do do
1676	do. v. √ Prefler	do do do.
1677	do. v. — Sedegast —	Playing Cards
1678	do v. √ do.	do do
1679	do v. √ Herman Green	do. do
1680	do. v. √ Bolm —	do. do.
1681	do v. √ Guergenson	do. do.
1682	do. v. — Brouner	do do.
1683	do. v. √ Schultz —	Permittin Card playing
1684	do v. Dohme & Bohnke √	do. do do.
1685	do. v. Guergenson	Playing Cards
1686	do. v. √ — Perry —	Carrying away timber &c.
1687	do v. √ Broom Sawyer	do. do do.
1688	do. v. √ do. —	Using an estray
1689	do v. √ do.	do do.
1690	do. v. √ Thomas Swisher (freedman)	Theft
1691	do. v. √ Aurora Alexander —	Murder
1692	do. v. — Klein —	Permitting banking game
1693	do. v. Bellamy, Whilst & Saufley	Betting at Faro.
1694	do. v √ Charles Smith —	Exhibiting banking game
1695	do v. √ Tom Ochittra —	Betting at a banking game
1696	do v. √ Saul Burdett (freedman)	Theft
1697	do v. √ Robbins & Biby —	do.
1698	do. v. √ Geo. Martin & Chas. Smith —	Exhibiting banking game
1699	do. v. √ Sampson Murray (frd)	Theft
1700	do. v. √ Sampson Murray & Tom, (do)	do.
1701	do. v. √ Martin & Smith —	Exhibiting banking game
1702	do. v. Schultz —	Permitting gaming
1703	do v. √ do.	do do.
1704	do. v. Dohme & Bahnke	do do.
1705	do. v. √ Martin —	Exhibiting banking game
1706	do v. √ Chas. Smith	do. do. do.

District Court Minutes, Monday Fall Term, 19 Nov. 1866

Wilson Green } Plff
v.
Duval & Sampson } Defts.

At this day comes the plaintiff by his attorney, and the defendant G. W. Sampson by his attorney, but the defendant J. C. Duval comes not. Whereupon the plaintiff and the defendant G. W. Sampson waived a jury and submitted the matters in controversy to the Court. After hearing the evidence in this cause and the argument of the counsel It is ordered, adjudged and decreed by the Court, that the plaintiff, Wilson Green do have and recover of and from the defendants John C. Duval and Geo. W. Sampson the sum of Three Thousand three hundred and Ninety four dollars in full for the amount of his principal debt and interest up to this date together with all costs of this suit. And it is further Ordered, adjudged and decreed by the Court that the above amount shall draw interest from this date until paid at the rate of 12 per Centum per annum for which execution may issue

Wilson Green

Millers: Hamilton & Brown

Plff appeared and filed his petition and sued out this writ of sequestration which was executed on the property sued for. Came to hand on the 12. day of Nov. 1866.

W. B. Clements } Plff
v.
W. A. Hamilton & J. T. Brown } Defts

In District Court of Travis County Texas

Now on this day comes W. B. Clements the Plaintiff and asks judgment final by default against W. A. Hamilton and J. T. Brown Defendants, and because it appearing to the Court, that said Hamilton and Brown have been duly Cited and Served with Legal process making them parties defendant to this suit, and that they, said Hamilton and Brown have failed to demur, answer or plead within the time prescribed by law, but have wholly made default. And it appearing to the Court, that the plaintiff's cause of action was based upon a promissory note, a liquidated demand. It is Ordered, adjudged and decreed by the Court that W. B. Clements the Plaintiff do have and recover of W. A. Hamilton and J. T. Brown Defendants the Sum of One hundred and fifty Seven dollars and twenty three Cents ($157.23) his principal debt and interest up to date together with ten per Cent interest per annum until paid, and all Costs of this Suit, for which execution may issue.

2111	Neil McGoffey	vs	Thomas P Hughes - Continued by Def.
2113	E Henry et al	vs	A. M Davidson - Continued
2122	John Brison vs Raymond & Thompson		Continued
2123	John Sayles vs John Bowlman et als		Continued
2125	James Humphrey vs D. C. & G. R. Freeman		Abated
2126	James Humphrey vs D. C. Freeman		Abated
2133	A. C Hamilton vs James O Rice		Continued
2135	J. M. Steines vs W. W. McLaughlin		Continued
2134	W. B. Burditt vs Hamilton & Sims		Continued
2138	J. H. Lightfoot et al. vs Mrs C. Lightfoot		Continued
2141	C Arrington vs J. H. Dickson		Dismissed by Plaintiff
2158	James C. Pickle vs Clapper & Millican		death of Plff suggested
2164	James Riley vs Jos. Holt & J. S. Holman		Continued to make parties

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2074 Mary Ann Doran vs. F. M. Whitt - Com^r Gen^l Land Office - Settled

2084 M. H. Townsend vs A. H. Cook - Continued on affidavit of Plaintiff.

2088 F. Stumpf, Pl'ff vs P. K. Marshall, Deft. } On this day came the parties to this suit and thereupon the plaintiff takes a non suit, and prosecutes no further. It is therefore ordered by the Court that the defendant go hence without day, and that he have and recover of and from said plaintiff all the costs in this behalf expended for which execution may issue.

2090 C. R. Johns vs E. Kirk - Settled

2098 John Tews vs Mary L. & W. L. Chalmers - Continued

2104 The State of Texas vs C. E. Barnard - S. L. Riddell & T. P. Warfield - Continued for service and Scire facias ordered.

2105 The State of Texas vs Barnard, Riddell & Warfield, Defts. } Pl'ff } Continued for service and Scire facias ordered.

Whereupon Court adjourned till tomorrow morning 9 o'clock.

Tuesday 21st 1866. Court met at 9 o'clock, pursuant to adjournment present the same as on yesterday, whereupon the following proceeds were had to wit.

2116 The State of Texas vs W. B. Covington & F. Bowles & W. H. Storm, Defts. } Pl'ff } Now comes the District Atty in behalf of the State and says he will prosecute this suit no further, and dismisses - It is therefore considered, ordered and adjudged by the Court, that the State of Texas take nothing by her suit, and that said defendants go hence fully discharged herein.

2117 The State of Texas vs W. B. Covington & ols, Defts. } Pl'ff } Now comes the District Attorney in behalf of the State and dismisses this suit - It is therefore ordered and adjudged by the Court, that the State of Texas take nothing by her suit, and that defendants go hence fully discharged herein.

2118 The State of Texas vs W. B. Covington & ols, Defts. } Pl'ff } Now comes the District Attorney in behalf of the State and dismisses this suit. It is therefore ordered and adjudged by the Court, that the State of Texas take nothing by her suit and that the defendants go hence fully discharged herein.

District Court Minutes, Tuesday Fall Term, Nov. 21 1866

1642 The State of Texas vs. John Conner –
1665 The State of Texas vs. Chas. Smith –
1666 The State of Texas Vs Whitlock & Billany
1706 The State of Texas Vs Chas Smith.
1705. The State of Texas Vs Martin,

This day appeard in open Court S. Hemphill a witness for the State in the above causes and acknowledged himself to owe and be indebted unto the State of Texas in the Sum of $50. in each case to be levied upon his goods and chattels, lands and tenements, but to void nevertheless if the said S. Hemphill shall appear in Court, now in Sepsion in the City of Austin and there to remain from day to day and from term to term thereafter to testify and give evidence ~~in the~~ in the above mentioned causes in said Court, and that he do not depart the Court without Leave

1708 The State of Texas vs. Hall & Adum } Plff } Defts } This day appeared in open Court A. Musgrove as principal and W. H. Carring as his Security for the and acknowledged themselves to owe and be indebted unto the State of Texas in the Sum of $50. in the above case to be levied upon their good and chattels Lands and tenements but to be void, nevertheless, if the said A. Musgrove shall appear in Court now in Sepsion in the City of Austin, and there remain from day to day and from term to term thereafter to testify and give evidence in the above name cause, and that they do not depart the Court without Leave.

1708 The State of Texas vs. Hall & Adum
1710 Same vs. Geo. Martin & Jack Nash.
1716 Same vs. Jack Nash, Geo Lee, & Billy Thompson.
1718 Same vs. Hankey
1719 Same vs. Hankey
1720 Same vs. Triggett
1721 Same vs. Thurman
1722 Same vs. Klein
1723 Same vs. Charley Smith
1724 Same vs. Charley Smith
1726 Same vs. Klein
1727 Same vs. Dan Morris, Ben Hines & Pirne

This day appeared in open Court Thomas Eams, a witness for the State in the above 12 causes, as principal and O. H. Millican and Security and acknowledged themselves to owe and be indebted unto the State of Texas in the Sum of $20. in each of the above causes to be levied upon their goods and chattels lands and tenements, but to be void nevertheless if the said Thomas Eams shall appear in Court now in Sepsion in the City of Austin, and there remain from day to day and from term to term thereafter to testify and give evidence in the above causes, and that he do not depart the Court without Leave.

District Court Minutes, Tuesday Fall Term, Nov. 21 1866

2185 — John T. Miller Pltff vs. Owen O'Brien & Mary O'Brien Defts. } And now on this day come the parties to this suit 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. Geo. W. Glapcoak and eleven others, who being duly elected impannelled and Sworn truly to try the issues joined between the parties, having heard the evidence, arguments of Counsel, and Charge of the Court, retired to Consider of their verdict and returned into Court their verdict as follows. "We the Jury find for the Defendant. Geo. W. Glapcoak, foreman"

It is therefore ordered, adjudged and decreed by the Court, that the Plaintiff Jno. T. Miller take nothing by his said suit, and that the deeds of the plaintiff from the Sheriff of Travis County, One of date the 6th day of September 1859 and the other the 3rd day of January 1860. for the West half of Lots 11 & 12 in Block No. 83. in the City of Austin, be Cancelled annulled and held for naught, and that the defendant have and recover of the plaintiff Jno. T. Miller all the Costs in this behalf expended for which execution may issue.

1819 — F. A. Thompson et al Pltffs vs. A. Eanes et al Defts. } And now come the parties to this cause by their attorneys, and the death of the Plaintiff C. E. Bowdin being Suggested & Whereupon James E. Bowdin and Melinda L. Bowdin the heirs and sole heirs at law of the said C. E. Bowdin by leave of the Court made themselves parties Plaintiff to this suit, and thereupon waiving a jury the parties Plaintiffs and Defendants submit the matters at issue to the Court. And after hearing the evidence adduced and the arguments of Counsel, the Court is of opinion that the law of the case as applicable to the facts is with the defendants. It is therefore ordered, adjudged and decreed by the Court that the prayer of the Plaintiff for writ of mandamus against the Commissioner of the General Land Office be refused, that said Plaintiff take nothing by this suit, that the Defendants Alexander Eanes Granville Timon and Thomas Upton go hence without day, and that the defendants have and recover of and from the plaintiffs Francis A. Thompson, James E. Bowdin and Melinda Bowdin all the costs in this behalf expended for which execution may issue. pltff gives notice of an appeal in open Court to the Supreme Court of the State

1347 — A. B. Spear Pltff vs. G. W. Lamon Deft. } In this case appeared G. W. Lamon by his Attorneys and Submitted his motion to withdraw his title papers in the above Stated Cause. It is Ordered by the Court that the defendant G. W. Lamon withdraw from the papers in the above Stated cause the Copy of the original grant to A. B. Spear, the deed from Mathew Willbarger to G. W. Lamon, the Certified Copy of the field Notes of the said Lamon

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and his patent to the land in controversy in the above cause by leaving a receipt with the Clerk for the same.

1021 Geo. W. Cartwright Pltff
vs.
John T. Porter Deft.

In District Court, Fall Term A.D. 1866.
November 19th 1866.

And now at this day come the parties to the above entitled cause, and leave is given by the Court to each party to amend their pleadings, and the parties appear by their Attorneys, announced themselves ready for trial, and the demurrer of the defendant to Plaintiffs petition coming on to be heard, it is ordered by the Court that the same be overruled, and thereupon came a Jury of twelve good and lawful men duly elected, empannelled and Sworn according to law, to wit. A. B. Burleson and eleven others, and having heard the pleadings, the evidence the argument of Counsel and Charge of the Court, the following special issues were by the Court submitted to the Jury - "1st What length of time has elapsed from the date of the Patent to the defendant to the date of the filing of this suit. 2nd What amount did plaintiff agree to pay defendant for the land sued for, and what amount of purchase money has been paid by Plaintiff to defendant? And thereupon the Jury ordered to consider of their verdict, and in reply to said special pleadings issues returned into Court, the following verdict to wit: " Ans. to first question - One year 7 (seven) months and 20 (twenty) days - To second question - two hundred dollars was the amount to be paid - To third question - Seventy five dollars was paid (Signed) A. B. Burleson, Foreman Jury No 1 "

And thereupon it is considered by the Court, that the title of the said Porter to one half of the following described land, to wit, to one half of the league of land located by virtue of the Headrights James Forester, in which two patents issued to the said defendant John T. Porter as assignee of said Forester, both of said patents issued on the 12th of October 1854, being the land described in Plaintiffs petition and set forth by metes and bounds as follows:

One tract being Survey No. 295. for 4,804.138 square varas of land situated on Pompeys Creek a Northern tributary of Pecan Bayou and about 12 miles North from the mouth of said Bayou. Beginning at the West line of Survey No 95 - 174 varas from its N. W. corner, a stake from which a Spanish Oak 6 inches in diameter bears South 51½ E. 24 varas, and a Spanish oak 5 inches in diameter bears South 63½ W. 33 varas. Thence North with the West line of Survey No 95 and 99 - 260 varas to Pompeys Creek 3240 varas to the Phantom Hill Road 3048 varas to a stake from which a live oak 12 inches in diameter bears N. 48½ E. 41½ varas and a live oak 24 inches in diameter bears N. 13½ E. 63 varas. Thence West 3217 varas to a stake and mound the North East corner of Survey No 125. Thence South with said Survey No. 125 - 3048 varas to a stake and mound on the East line of the same. Thence East 3048 varas to Pompeys Creek 3217 varas to the place of beginning.

And the other tract of land so patented to said Porter

as aforesaid being Survey No. 316 for 16,193.942 Square varas of land on Blankits Creek a Northern tributary of Pecan Bayou about 21 miles North of the mouth of said Bayou. Beginning at the North East Corner of Survey No. 313 and North West corner of Survey No. 314 at a stake from which a live Oak 18 inches in diameter bears N. 16½ E. 77 varas, and a live oak 9 inches in diameter bears North 75° East 76 varas. Thence North with No. 315 - 5140 varas to a Spring branch 5222 varas to a stake from which a Black Jack 8 inches in diameter bears S. 75° E. 47½ varas, and a Post oak 12 inches in diameter bears N. 73 E. 45 varas. Thence West 3100 varas to a stake and mound. Thence South 5222 varas to the North West corner of Survey No. 313 to a stake from which a Post Oak 6 inches diameter bears South 86° E. 15 varas and a Post oak 8 inches in diameter bears N. 74½ E. 15 varas. Thence East 2100 varas to the West branch of Blankets Creek 3100 varas a branch 2850 varas a branch and 3100 varas to the place of beginning, be divested out of the said Porter and vested hereby in the said Plaintiff Cartwright, hereby fully clothing the said Cartwright with all the right and title of the said Porter to the one half of the said above described League of land, and it appearing to the Court, that the said defendant John T. Porter is also the owner of one half of the said above described League of land and the Plaintiff having prayed that Commissioners be appointed to set apart the said plaintiff, by metes and bounds his half interest in said League of land, and to divide and partition the same between the said plff. and the said deft. It is ordered that L. H. Luckett. D. Corwin and James M. Swisher be and they are hereby appointed Commissioners to make partition of said land between the said plff and deft. as equally and justly as the same can be done, and to make their Report to the next Term of the Court, and that this case remain open for the purpose of receiving the Report of said Commissioners and acting on the same.

Now it further appearing to the Court, that there remains due and owing from the Plff Cartwright to the defendant John T. Porter the sum of One hundred and twenty five dollars, being a part of the original purchase money for the above described half League of land, sold by the said Porter to the said Cartwright. It is considered by the Court that the said deft. J. T. Porter do have and recover of and from the said Geo. D. Cartwright the sum of One hundred and twenty five dollars, and that the same being a lien on the said half of the above described League sold by the said Porter to the said Cartwright, it is ordered that lien be foreclosed and an Order of sale issue according to law for the sale of said half a league of land, to satisfy said judgment in favor of said Porter, and in case the proceeds of said sale are not sufficient to satisfy the same, then said Porter is entitled to his execution for the balance, to be issued in accordance with law. And it is further ordered that the said Plff. do have and recover

of and from the Defs. J. T. Porter all costs of this suit for which execution may issue in accordance with law.

1641 ✓ The State of Texas } Plff } Now on this day appeared in open Court
vs. } } Jas. M. Swisher, a witness for the State
John Conner } Def } in the above cause and acknoledged
himself to owe and be indebted unto the State of
Texas in the sum of One thousand dollars, to be levied upon his goods
and chattels Lands and tenements, but to be void nevertheless
if the said Jas. M. Swisher shall appear in Court now in Session
in the City of Austin, and there remain from day to day and from
Term to Term of said Court, then and there to testify and give
evidence in said cause now pending in said Court, and that he
do not depart the Court without leave

Now on this day came and appeared in open Court
the Grand Jury of Travis County duly elected, empannelled, sworn
and charged for and during the present Term of this Court, and
through their foreman Jas. A. Thompson presented to the Court, the
following Bills of Indictment - to wit:

1707 The State of Texas vs. John Conner - Permitting gaming &c
1708 Same vs Hall & Odum - Retailing Liquors on Sunday
1709 Same vs L. Beck - Betting at a gaming table
1710 Same vs. Geo. Martin & Jack Nash - playing Cards &c
1711 Same vs. Frank (Freedman) Theft
1712 Same vs. Same do.
1713 Same vs. Cranford Kimbro - do.
1714 Same vs. do. do do.
1715 Same vs. Bellomy, Estes & Reeves - Betting at Faro.
1716 Same vs. Jack Nash, Geo Lee, Billy Thompson - Playing cards &c
1717 Same vs. Billy Thompson - Ex- Faro Bank
1718 ✓ Same vs. Stanley - Permitting Faro exhibited
1719 ✓ Same vs. do. do do.
1720 ✓ Same vs Fuget - Ex- banking Game
1721 Same vs Susman - Permitting Card playing &c
1722 Same vs. Klein - do. do.
1723 Same vs. Charley Smith Ex- gaming bank
1724 Same vs. do do. do.
1725 Same vs. Custard - Failing to keep the ordinance order
1726 Same vs. Klein - Permitting banking game exhibited
1727 Same vs. Dan Morris, Ben Hines & Rino - Playing Cards &c.

✓ 2161 ✓ Anderson Hardy, Admr &c } Plff } In District Court for Travis County
of John Millican, dec'd } } November 21/66.
vs.
C. S. West Executor &c } Deff. } This day came the plaintiff
of R. J. Towns } by his Attorney and the de-
fendants in his proper person, and announced
themselves ready for trial in said cause, and the Court
overruled the exceptions of the defendants, and thereupon came

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a Jury of twelve good and lawful men of said County of Travis, to wit: J F Cleveland and eleven others, who being duly empannelled and summoned and duly sworn by the Jurors joined by the parties to this cause, having heard the pleadings read, the evidence introduced and the charge of the Court retired to consider their verdict, And thereupon returned into Court the following verdict, to wit: " Petit Jury Room Nov. 21st 66. We the Jury find for the plaintiff.

Principal $3010. "
Interest 2235.75
And also that the Mortgage was given to secure the $5245.75
payment of the note Sued on - J. F. Cleveland foreman "

It is therefore considered by the Court that the plaintiff, Henderson Heardy, Administrator of John Millican deceased do have and recover of and from C. S. West, Executor of the last will and testament of R. J. Townes, deceased the Sum of Five Thousand two Hundred and forty five dollars and Seventy five Cents ($5245.75) and all costs in this behalf expended, and it appearing to the Satisfaction of the Court that the Mortgage set forth in plaintiffs petition was executed and delivered to said John Millican by the said R. J. Townes on the 15th day of June 1859 whereby he sold and Conveyed to the said John Millican to secure the payment of the note Sued on being for a part of the purchase money therefor, on the following tracts of land, to wit. A Certain tract of land, situated on the East bank of Oyster Creek in Brazoria County, containing One thousand and two acres more or less and bounded as follows. Beginning the East bank of Oyster where the upper line of the league of land granted Wm Parker crosses said Creek. Thence East along the line of said league to the North East corner of the same. Thence South along the line of said League to the corner of the tract known as the Austin tract. Thence West along the line of said tract to said Creek and thence up the Creek as it meanders to the place of beginning it being a part of the said Parker League.

And it appearing to the further Satisfaction of the Court, that the said R. J. Townes in his life time, and his representatives for him, have failed and refused to pay said note or any part thereof according to the consideration of said Mortgage, that there is a lien on said tracts of land in favor of said Plaintiff for the amount due on said note, to wit: the Sum of $5245.75, amount of said judgment. It is therefore ordered, adjudged and decreed by the Court that the Sheriff of the County of Brazoria shall offer for sale and proceed to sell said tracts of land in the mode and manner prescribed by law, in such cases made and provided as under execution, and if the proceeds of such sale shall be insufficient to pay and satisfy said judgment and costs of this suit, said Plaintiff shall have further execution for such balance. It is further Ordered by the Court, that this judgment and decree be Certified by the Clerk of this Court to the Probate Court of Travis County, for its government

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and observance in the due course of administration of said R. J. Townes deceased, together with the bill of costs of this suit.

1053 J. C. Kirby vs. A. Bagarly & wife C. Bagarly, formerly Catharine Farley } Plff } Defts } This cause coming on to be heard and the Plaintiff having announced himself ready for trial, the defendants being called came not, and it appearing to the Court that the defendants were duly cited and having failed to plead, answer, demur. Whereupon came a jury of good and lawful men, to wit: J. T. Cleveland and eleven others, who being duly empannelled tried and sworn well and truly to try the issues submitted to them. And the Plaintiff by his Attorney having submitted his pleadings and the evidence in the cause, the Court having instructed the Jury as to the law. The jury having retired to consider of their verdict, returned the following verdict into open Court, to wit: "We the Jury find that the allegations of petition as therein ~~xxxx~~ contained are true. J. T. Cleveland foreman." Wherefore it is considered by the Court that the Plaintiff have and recover from the defendants one third of the tract of land mentioned in plaintiffs petition, and that W. D. Patton, David Riley, J. M. McLane and John T. Harris be ~~xxx~~ and the same are hereby appointed Commissioners to make partition of said one third of said tract of land to said J. C. Kirby and that they report their action in the premises to this Court now in Session

Whereupon Court adjourned till tomorrow morning 9 o'clock

Wednesday Nov. 21st 1866. Court met at 9 o'clock A. M. pursuant to adjournment, present the same as on yesterday, whereupon the following proceeds were had, to wit.

1940 State of Texas vs. W. B. Covington — Dismissed

1978 Philips & Smith vs. Nancy A Ragsdale — Settled.

1989 Ellen Duval vs. A. M. Davidson & E. P. Hill — death of Plff suggested —

2117 Phelps & Johnston vs. John Marshall Sen. — Continued to make parties.

1571. The State of Texas — vs. I. A. Lightfoot L. D. Covington William Hollander W. P. Matin — And now on this day this case came on to be tried and thereupon the Dist Attorney announced ready for trial as to the Defendant L. D. Covington and the defendant Covington appearing in person and by Attorney and announced ready. Thereupon the Defendant by attorney submitted his exception to the sufficiency of the Indictment, which being heard and Considered by the Court, the same was overruled. Thereupon came a jury of good and lawful men of Travis County to wit I. T. Cleveland and eleven others who being elected tried and sworn well and truly to try the issues between the State and the Defts.

who having heard the Indictment the evidence and the charge of the Court retired to Consider of their verdict, and returned into Court the following verdict to wit." Petit Jury vvm Nov 22/66 "We of the Jury believing that Capt L. D. Carrington acted directly in obedience to orders from the Confederate States of America acquit him." S. T. Cleveland Foreman" It is therefore ordered and adjudged by the Court that the Defendant L. D. Carrington go hence without day, fully acquited and discharged.

The State of Texas vs. Plff. And now on this day comes the
vs. District Attorney and enters a "nolle
I. N. Lightfoot et als. Dfts prosequi" in this cause. It is therefore
ordered by the Court that the Defendants I. N. Lightfoot William
Hollander & W. P. Matin go hence without day fully discharged
from said Indictment.

1728 The State of Texas vs Hall & Odum.
1729 Same vs Same.
1730 Same vs Same
1731 Same vs Same
1732 Same vs Same
1733 Same vs Same
1734 Same vs Same
1735 Same vs Same
1736 Same vs Same
1737 Same vs Same.

Now on this day appeard in open Court A. Musgrove a witness for the State and acknowledged himself to Owe and be indebted unto the State of Texas in the Sum of Twenty Five Dollars in each of the above cases to be levied upon his Goods & Chattles Lands tenaments but to be void nevertheless if the said Musgrove shall appear in open Court now in Session in the City of Austin and there remain from day to day and from term to term of said Court then and there to testify and give evidence in the above Stated Causes, and that he do not depart the Court without Leave.

2133 The State of Texas vs. Ben Sims et als Plff. Dfts. Ordered by the Court that the service of the Writ of Scire facias be quashed, and the cause be continued for service.

2134 The State of Texas vs. Ben Sims et als Plff. Dfts. It is ordered by the Court that the service of the Writ of Scire facias be quashed, and cause Continued for service.

2145 The State of Texas vs. L. D. Bonner — Ordered to be heeled
2153 J. H. Browning vs Barthol Manuf Co. — Continued for Servce
2157 L. D. Carrington & Co. vs Edwin Waller, H. G. Johnson & J. A. Burditt — Continued
2159 Sampson & Emmicks vs E. S. Berry Plff. Dft. It is ordered by the Court that this cause be dismissed. It is therefore ordered by the Court that the Plaintiffs herein pay

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all costs of this suit for which execution may issue

√V 2168 O. Hedgcoxe v Wm Oliphant & Wm Custard — Continued

√V 2169 O. Hedgcoxe vs R. H. Simmons, Mary E. Simmons & W. G. Johnson — Continued

X 2173	John Oliver vs David Young & Wm D. Young	Pltf Defts	It is ordered by the Court that this cause be dismissed for want of prosecution, and it further ordered by the Court that the Defendants do have and recover of and from the Plaintiff all the costs in this behalf expended for which execution may issue
√ 2176	W. D. Scott vs H. Tams	Pltf Deft.	Death of Defendant suggested, and cause Continued.
√ X 2180	John T. Allen vs Geo. Flournoy & A. H. Cook	Pltf Defts	It is ordered that this cause be dismissed for want of prosecution. It is therefore Ordered by the Court, further, that the Defendants do have and recover of the said Plaintiff all the costs in this behalf expended for which execution may issue.
√ 2181	Ellen Duval vs J. M. Bennett, Geo. W. Davis & Thomas Adams	Pltf. Defts.	Death of Plaintiff suggested and Cause Continued to make parties.
√ 2183	Ellen Duval vs H. T. Dyer & S. M. Swanson	Pltf. Defts.	Death of Plaintiff suggested and Continued to make parties
√V 2187	J. A. Caldwell vs Wm Fowler	Pltf Deft.	Continued by agreement.
√V 2188	J. M. Stees & Co. vs Millican & Glascock —		Continued
√V 2191	A. Vanburen vs W. M. Booth —		Sealed.
√V 2192	C. C. Browning et al Admrs &c, vs S. S. & J. S. Friend —		Continued to perfect service
√V 2196	A. Bohn vs P. De Cordova —		Sealed
√V 2303	F. E. Smith Admx vs J. Hughes et al	Pltf Defts	Ordered that J. S. Spence have leave to intervene.
√V 2422	Wm A. Blair vs R. A Rutherford —		Pltf has leave to amend
√V 2428	Martin Cosner & F. W. Chandler —		Pltf. has leave to amend —
√V 2429	J. T. Chandler vs T. A Johnson & F. Chandler —		Pltf has leave to amend.
√V 2486	J. P. Jones vs Mary J. Jones —		J. B Morris appointed to defend —
√V 2487	J. M. Haller et al vs J. D. Grumbles —		Ordered that deft. have leave to amend answer
√X 2521	E. M. Ernest vs J. A Kade	Pltf Deft.	It is ordered that this cause be dismissed, and it is further ordered by the Court that the Pltf. pay all costs in this behalf expended for which execution may issue.

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2522	Phelps & Johnston vs. John Stringer –	Deft has leave to amend
2523	Leander Brown vs. B.P. Hollingsworth –	Plff. has leave to amend
2544	Geo. Hancock vs. Thos. F. McKinney –	Continued for Service
2545	H.C. Battle vs. J.J. Musgrove –	Continued to perfect Service
2547	Alfred Smith vs. L. Mohr –	Continued for Service

And now on this day appeared in open Court the Grand Jury of Travis County duly elected, empannelled and sworn for and during the present Term of this Court, and through their foreman Jas A. Thompson, presented to the Court the following Bills of Indictment

1728	The State of Texas	vs Hall & Odum –	Retailing whiskey on Sunday	
1729	Same	vs	Same	do do.
1730	Same	vs.	Same	do do
1731	Same	vs.	Same	do do
1732	Same	vs.	Same	do do
1733	Same	vs.	Same	do do.
1734	Same	vs.	Same	do do
1735	Same	vs.	Same	do do
1736	Same	vs.	Same	do do
1737	Same	vs.	Same	do do
1738	Same	vs	Robinson Jobe –	do do
1739	Same	vs	Same.	Permitting billiard playing on Sunday
1740	Same	vs.	Same	do do
1741	Same	vs.	Same	do. do
1742	Same	vs.	Same	do do
1743	Same	vs.	Same	do do
1744	Same	vs.	Same	do do.
1745	Same	vs.	Same	do do.
1746	Same	vs. Keller	Retailing liquor on	Sunday
1747	Same	vs.	Same	do do.
1748	Same	vs.	Same	do. do.
1749	Same	vs. Schultz –	do.	do
1750	Same	vs.	Same	do do
1751	Same	vs. Pomford Def-		Theft.
1752	Same	vs. Barnes –	Retailing liquor on	Sunday
1753	Same	vs. John Connor –	Permitting Faro to be	exhibited
1754	Same	vs. A.G. Buddington –		Swindling
1755	Same	vs. Brukerhoff –	Retailing whiskey on	Sunday
1756	Same	vs. Dan Morris –	Ex- banking game	&c
1757	Same	vs. Bew Shing, Tom Bowles, Ed. Goodrich & Albert Roberts –		Betting at faro
1758	Same	vs. Charley Smith –	Ex. banking game	
1759	Same	vs. Tom Ochiltree & Wheelock –	Betting at	Faro
1760	Same	vs. Oliver Wilson & Farland –		Theft.
1761	Same	vs Mashuck (fred) –	Using a estray	&c.
1762	Same	vs. Stanley –	Retailing liquor on	Sunday
	Same	vs.	Same –	Permitting Biliard playing on Sunday

It is Ordered by the Court that Thomas Meredith be fined ten dollars for Contempt of Court.

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1709	Phelps & Johnson vs. J. C. Zuschlag et als	Plff } Deft. }	The motion of Plaintiffs by attorney to strike out the plea of Intervention coming on to be heard, It is ordered by the Court that the same be overruled.

Whereupon Court adjourned till tomorrow morning 9 o'clock.

Thursday Nov. 22d. 1866. Court met at 9 o'clock pursuant to adjournment present the same as on yesterday. Whereupon the following proceeds were had by said Court to wit.

111	The State of Texas	vs.	Andrew Jackson
1235	The State of Texas	vs.	W. C. Leggett
1317	Same	vs	J. H. Esmond
1351	Same	vs.	Peter Hearn
1382	Same	vs.	A. Chamberlain
1468	Same	vs.	John Martin
1489	Same	vs.	J. Stuling
1569	Same	vs.	J. K. Malone
1571	Same	vs.	J. K. Malone
1572	Same	vs.	Dick (freedman)
1573	Same	vs.	Dick (do.)
1574	Same	vs.	Dick (do.)
1578	Same	vs.	Dick (do)
1579	Same	vs.	Antone Ayglin
1584	Same	vs.	Watson Dibrell
1592	Same	vs.	Wm Boyd
1593	Same	vs.	F. B Clifton
1598	Same	vs.	Cyrus Puckett
1599	Same	vs.	Peter (Mexican)
1601	Same	vs.	Henry Colman.
1604	Same	vs.	S. G. Snead.
1605	Same	vs.	John Henry Brown
1626	Same	vs.	Augustine (Mexican)
1632	Same	vs.	John Jones
1636	Same	vs.	Lewis Elgin
1637	Same	vs.	Celia Staveley

It is Ordered by the Court that above twenty six cause be Continued and alias Capiases issued.

143	The State of Texas	vs.	A Needham
477	Same	vs.	J. M. Morris
576	Same	vs.	F. B Beck
1587	Same	vs	W. Dibrell
1588	Same	vs.	Milam Duty
1611	Same	vs.	Rafe Grumbles et al

It is Ordered by the Court that the above six causes be Continued for Service.

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1581 The State of Texas vs Jerry (freedman)
1581 Same vs Jim (do.)
1583 Same vs Lynch
1614 Same vs J. G. Snead
1616 Same vs Jerry Reeter (freedman)
1618 Same vs Randy Alexander (do)
1629 Same vs. Jerry Reeter
1630 Same vs Jerry Reeter
1631 Same vs. Jerry Reeter
1634 Same vs Jerry Peoples
1635 Same vs Jerry Reeter.
1639 Same vs Louis Hurst

And now on this day comes the District Attorney and enters a Nolle Prosequi in the above twelve cases. It is therefore Ordered by the Court that the Defendants in the above named twelve cases, go hence without day fully discharged from said Indictments.

V 1686 The State of Texas vs. Thomas Swisher freedman et al. } Pltff / Defts } Now on this day came the District Attorney and announced ready for trial, and the defendant in person and by his Attorneys, also announced ready for trial, Whereupon came a jury of twelve good and lawful men, to wit: (Travis County) Geo. W. Glascock, O. N. Millican, Lacy McKinzey, C. C. Kirk, Thos. Warren, J. G. Jolley, J. S. Spence, Ed. Christian, P. Bolden, S. Pearce, J. W. Bonner & Chas. Behnke, who were duly elected impannelled and sworn, who after hearing the evidence, adduced, arguments of Counsel and Charge of the Court, retired to consider of their verdict, and returned into Court the following verdict, to wit: "Petit Jury Room Nov. 22nd 1866. We the jury find the defendant guilty and assess his punishment to two years in the State Penitentiary. Geo. W. Glascock, foreman."

It is therefore ordered, adjudged and decreed by the Court that the defendant Thomas Swisher freedman be confined in the State Penitentiary for the period of two years, and that he be remanded to jail to await the sentence of the Court. Whereupon he was remanded to jail.

V 1156. The State of Texas vs Wm. Sayers } Pltff / Deft } It is ordered that this cause be stricken from the docket

1352 The State of Texas vs Jepe Graham Mals. - Continued and alias copias ordered issued

1478 The State of Texas vs D. D. Young } Pltff / Def. } Cause continued to supply lost papers

1582 The State of Texas vs Wm Akin & Leach (Ike) } Pltff / Defts. } Continued by consent.

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1586 ✓ | The State of Texas vs. B. H. H. Butts | Plff / Deft. | It is ordered by the Court that this cause be continued, alias capias issue, and defts bail fixed at two thousand dollars ($2000.00)

1594 ✓ | The State of Texas vs Wm. Hudson & Josiah Hudson | Plff / Defts. | Continued by consent as to Wm. Hudson, alias capias ordered for Josiah Hudson, and cause continued

2331 ✓ X | F. Heafey vs. J. H. Walker | Plff / Deft. | In District Court, Fall Term, Nov. 24th 1866.

In this case appeared the parties Plaintiff and defendant by their Attorneys, and the defendant submitted to the Court his motion to quash the warrant, writ and levy, and seizure by by Sheriff and to dismiss the suit in the above Stated cause, after hearing the evidence and argument of counsel, It is ordered, adjudged and decreed by the Court that said motion be sustained, and that the Plaintiffs suit be and the same is hereby dismissed without ~~prejudgxxxxx~~ prejudice to the defendants Cross bill and plea in reconvention, and that the defendant John H. Walker go hence without day. It is further ordered adjudged and decreed by the Court that the defendant John H. Walker, do have and recover of and from the Plaintiff, F. Heafey as principal and H. Heafey, his Surety in this ~~xxxxx~~ suit, ~~and~~ all the costs in this behalf expended, for which execution may issue.

(X) X

It is ordered by the Court that the fine heretofore entered against Thomas Meredith, of ten dollars, be remitted, and it is further ordered by the Court that the said Thomas Meredith pay the costs in this behalf expended for which execution may issue.

The State of Texas, County of Travis } Thomas B. Wheeler having made application before the District Court of Travis County Texas, at the Fall Term thereof 1866, for a permanent License to practice as an Attorney and Counsellor at Law, in the District and all inferior Courts of the State of Texas, and having produced the Certificate required by Law, that he is twenty one years of age and that he has a good reputation for moral character and honorable deportment, and the Court being satisfied upon examination in open Court and by the report of the committee appointed for that purpose of the legal qualifications of the applicant, it is ordered by the Court that his name be enrolled as an Attorney of this Court & License issue to him accordingly -

2180 + V | John T. Allan vs. Geo. Flournoy & A. H. Cook | Plff / Deft. | It is ordered that the motion to reinstate this suit be granted, And it is further ordered by the Court that the Plaintiff pay all costs that have accrued by the action of the Court, ~~for which execution shall~~ issue.

2131 V | The State of Texas vs. Wm Sims et als | Plff / Defts. | It is ordered that Scire facias be quashed, and cause continued for service.

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2132 — The State of Texas vs Ben Hines + als — Plff / Defts — It is Ordered that Service of Scire facias be quashed, and Cause Continued for Service. Nov. 19th 1866.

1997 — M. F. Bell vs John B. Perry — Plff / Dft — And now on this day came the parties Plff and defendant by their attorneys and announced themselves ready for trial, Whereupon came a Jury of twelve good and lawful men of Travis County, to wit: J. T. Cleveland and eleven others, duly elected, empannelled and sworn, who after hearing the pleading read, the evidence, arguments of Counsel and charge of the Court, retired to consider of their verdict, and after due deliberation returned into Court the following verdict, to wit: "Petit Jury room Nov. 19th 1866. We, the Jury find a verdict in favor of the plaintiff Bell for the sum of $31.00, J. T. Cleveland, foreman." It is therefore ordered, adjudged and decreed by the Court that the plaintiff M. F. Bell do have and recover of and from the defendant John B. Perry the sum of thirty dollars ($31.00) together with all costs in this behalf expended for which execution may issue.

1528 — The State of Texas vs Ben. Thompson et al — Plff / Defts — In District Court Fall Term Nov. 21st 1866. This day appeared in open Court, Ben Thompson as principal and L. D. Carrington and J. C. Blum as his securities and acknowledge themselves jointly and severally to owe and be indebted unto the State of Texas in the sum of $2000.00 each to be levied upon their respective goods and chattels, lands and tenements, but to be void nevertheless if the said Ben Thompson shall make his appearance in open Court and there remain from day to day and from term to term of said Court now in session at the City of Austin to answer to an Indictment preferred against him by the Grand Jurors of Travis County at the Fall Term of said Court 1864 for murder, and that he do not depart the Court without leave. Special venire ordered in this case returnable on Monday next. Nov. 26th 1866

1589 — The State of Texas vs Thos. Jno Ward — Plff / Dft. — It is ordered by the Court that a fine of $25. each be entered against J. K. Hutchins A. Evans, and P. W. Loveland, each, for failing to attend Court as witnesses in the above stated case, and that Scire facias do issue to each of them returnable to the next term of this Court, commanding them there and there to appear and show cause if any they can why this judgment shall not be made final against them as aforesaid and Attachment awarded for each of them.

1597 — The State of Texas vs E. Goodman — Plff / Dft. — It is ordered by the Court that a special Venire be issued in this Cause returnable on Monday next, Nov. 26th 1866.

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1617 ✓ The State of Texas } Plff } It is ordered by the Court that this cause be
vs. continued, alias Capias ordered and
Pleasant Turner + } Defts. } defts. bail fixed at One thousand dollars
John Turner } each

x 2469 ✓ John F. Smith } In District Court for Travis County Texas.
vs. November 20th 1866.
J.W. Thompson }
W.A. Hamilton + } And now on this day comes J. F. Smith the Plaintiff
G.T. Brown } by his Attorney and dismissed this suit as to J.W.
Thompson one of the defendants he not having been served with
process, and not having answered, and asks judgment final
by by default against W. A Hamilton and J. T. Brown the other
defendants, and because the said Hamilton and Brown
have been duly and legally cited and served with process
making them parties defendant to this suit, and having failed
to demur, answer or plead within the time prescribed by law,
but wholly made default. And it appearing to the Court that
the Plaintiff's cause of action was based upon a promisory Note,
a ligaidated demanded. It is therefore ordered, adjudged and
decreed by the Court that John F. Smith, the plaintiff do have and
recover of and from said W.A. Hamilton and J. T. Brown
defendants, the Sum of three hundred and thirty six dollars ($336 cts)
his principal debt and interest due to date, upon the note sued
on, together with 8 per cent interest, per annum until paid,
and all costs of this suit for which execution may issue

1621 ✓ The State of Texas } Plff } It is ordered by the Court that this cause
vs. be continued and alias Capias ordered and
Jenkins } Defd. } bail fixed at $1000.

✓ 1623 The State of Texas vs. Thos. Moran
✓ 1651 Same vs. Geo. Martin + Smith
✓ 1727 Same vs Dan Marks, Ben Hines & Pirie

It is ordered by the Court that the above causes be continued
and alias Capiases awarded, and the bail of each of the above
named defendants fixed at One hundred dollars.

✓ 1669 The State of Texas vs. Randall Sightfoot
✓ 1660 Same vs. Henry Alexander
✓ 1713 Same vs. Crawford Kimbro
✓ 1714 Same vs. Same

It is ordered by the Court that the above causes be continued
and alias Capiases awarded and bail fixed at two thousand
dollars for each of the above defendants -

1665 The State of Texas vs. Charles Smith.
1666 Same vs. Wheelock + Bellamy
1693 Same vs. Bellamy, Whitset + Scuffley
1694 Same vs. Chas. Smith
1695 Same vs. Tom Dechiene

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1698 The State of Texas vs. George Martin & Chas Smith
1709 Same vs L. Beck
1716 Same vs Jack Nash, Joe Lee, & Billy Thompson
1721 Same vs. Tuesman
1725 Same vs. W. J. Castard.

It is ordered by the Court that the above and foregoing causes be continued for service, and bail for each of the defendants fixed at two hundred dollars.

1705 The State of Texas vs Martin
1706 Same vs Charles Smith
1715 Same vs. Bellomy, Estes & Reeves
1717 Same vs. Billy Thompson
1724 Same vs. Charley Smith
1711 Same vs. Fudge St.
1728 Same vs. Charley Smith

It is ordered by the Court that the above causes be continued for service and bail fixed at five hundred dollars for each of the above defendants.

Whereupon Court till tomorrow morning 9 o'clock

Friday Nov. 23rd 1866 -

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

1645 The State of Texas } Pff } In District Court Fall Term 1866
vs
Corr } Dfft. } This cause coming on for trial came the State by the District Attorney, and the defendant by E. B. Turner, his attorney, who announced themselves ready for trial, and came a jury of good and lawful men, to wit: J. F. Cleveland and eleven others, who being duly sworn according to law, when the State called as a Witness Ernest Woyna, whose name is endorsed on the back of the Indictment, and after being sworn, refused to answer the question asked him by the State's Counsel, and refused to give evidence in the case, and being cautioned by the Court, that he must testify or go to jail, declared his unwillingness to give evidence, declaring that dfft had not been guilty of no crime, but preferring to go to jail. It is therefore ordered and adjudged by the Court that said Ernest Woyna be committed to the County jail until he shall signify his willingness to testify in this case. It is further ordered, that when he shall so signify if the Court shall not be in session, the Sheriff shall release said witness from confinement upon his entering into bond with sufficient sureties conditioned as the law requires for his appearance to give evidence in this case said bond to be in the sum of five hundred dollars. It is further ordered that said jury be discharged and a mistrial

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be an order in this cause.

1606 / The State of Texas vs. Alexander Swisher et al / Pltff / Defts / In District Court Fall Term A.D. 1866. Now on this day comes the District Attorney, who prosecutes in behalf of the State and the defendant Alexander Swisher, in person, and by his attorney and announced themselves ready for trial, whereupon came a jury of twelve good and lawful men of Travis County, to wit: O. H. Millican and eleven others, duly elected, empannelled and sworn, who, after hearing the evidence, addduced, arguments of Counsel and charge of the Court, retired to consider of their verdict, and after due deliberation returned into Court the following verdict, to wit: "Pcht Jury room Nov 23d 1866 We the jury find the defendant Alex. Swisher guilty of felony and assess his punishment at two years confinement in the Penitentiary, O.H. Millican, foreman" Whereupon the said defendant was remanded to jail

1621 / The State of Texas vs. Charles Wooldridge / Pltff / Deft / In District Court Fall Term A.D. 1866. Now on this day comes the District Attorney who prosecutes in behalf of the State and Charles Wooldridge by his attorney and announced themselves ready for trial. Whereupon came a jury of twelve good and lawful men of Travis County, to wit: Geo. W. Glapcock and eleven others, duly elected, empannelled and sworn, who after hearing the evidence, arguments of counsel and charge of the Court retired to consider of their verdict, and after due deliberation returned into Court the following verdict to wit: "We the jury acquit the defendant. Geo. W. Glapcock, foreman." It is therefore ordered, adjudged and decreed by the Court that the defendant Charles Wooldridge go hence without day fully discharged from said Indictment.

1589 / The State of Texas vs. Thos. W. Ward / Pltff / Deft. It is ordered by the Court the fine entered against P. W. Rowlin, at a former day of this Term, in this cause, as defaulter, withp be remitted, It is further ordered that said Rowlin pay all costs in this behalf expended for which execution may issue.

1617 / The State of Texas vs. P. Golden / Pltff / Deft. It is ordered by the Court that a fine of twenty five Dollars be entered against J. M. Turley for failing to appear as a witness in this cause, and that Scire facias do issue to him returnable at the next term of this Court commanding him then and there to appear and show cause if any he can why this judgment shall not be made final against him as aforesaid - Attachment awarded and cause continued.

1613 / The State of vs. John Humphreys / Pltff / Deft / It is ordered that this cause be continued, alias capias issue, and bail fixed at $1000 "

District Court Minutes Friday Fall Term, Nov. 23 1866

✓ 1614	The State of Texas vs. Jno. Lupsinger	Plff / Deft.	Attachment ordered for Fred Pick witness for defendant, and cause continued by defendant as on affidavit for want of evidence of said Fred Pick.
1628	The State of Texas vs. J. B. Perry		Continued by defendant.
✓ 1638	The State of Texas vs. Joe. Luxsinger & als	Plff / Deft.	Motion to quash the Indictment in this case, sustained.
1641	State of Texas vs John Conner	Plff / Deft.	Continued and bail fixed at $200.
1641	State of Texas vs John Conner		Continued and bail fixed at $200.
1642	Same vs. Same		Continued and bail fixed at $200.
1643	Same vs. Same		Continued and bail fixed at $200.
1644	Same vs. Oscar (freedman)		Continued for service bail fixed at $1000
1664	Same vs. Hankey		Motion to quash sustained. It is
1686	Same vs. Perry		therefore ordered by the Court that the said defendants go hence without day, fully discharged from - Continued by State and bail fixed at $200.
1687	Same vs. Brown Sawyer		Continued by State and bail fixed at $200.
1688	Same vs. Same		Continued by State and bail fixed at $200.
1689	Same vs. Same		Continued by State and bail fixed at $200.
1691	Same vs. Aurora Alexander		Continued for service
1696	Same vs. Saul Burditt (freedman)		Continued for service bail fixed at $1000
1697	Same vs. Robbins & Bibey		Continued for service and bail fixed at $2000 each.
1701	Same vs. Martin & Smith		Continued for service and bail fixed at $200 each
1707	Same vs. Jno. Conner		
1708	Same vs. Hall & Odum.		And now on this day comes
1718	Same vs. Hankey		the District Attorney and
1719	State vs. Same.		enters a Nolle prosequi in
1720	Same vs. Klein		the above six causes. It is
1726	Same vs. Same.		therefore Ordered by the Court that the defendants in said causes Indictments.

hence without day, fully discharged from said

✓ 1662	The State of Texas vs. Moses Swishes (freedman)	Plff / Deft.	It is ordered by the Court that Mines Long, H. Goodrich, P. Bradly and Jacob Goodrich be fined each $250 for failing to appear as witnesses for the State 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 as aforesaid, and Attachments awarded
1690	State of Texas vs. Thomas Swishes (freedman		Continued to await the expiration of his term in the Penitentiary -

District Court Minutes, Friday Fall Term, Nov 23 1866

1606 — The State of Texas vs. Alex Swisher & Thos Swisher — Plff / Defts — And now come on to be heard the motion to arrest the Judgment in the above cause, filed by the defendants in said cause, and after hearing the argument of Counsel, It is ordered adjudged and decreed by the Court that the motion to arrest the Judgment in said cause be overruled, whereupon defendants gave notice of appeal - The defts Counsel withdraws the notice of appeal in these cases

V 1997 — A. F. Bell vs. John B. Perry — Plff / Deft — It is Ordered by the Court that the motion for new trial in this cause be granted by Consent.

X 2185 — F. C. Stewart adm^x vs. C. L. Mitschke — In District Court Fall Term, Nov. 24th 1866. Now come the parties by their attorneys, and the exceptions of the defendant to the Sheriff's return on the Citation were by the Court overruled to which he excepts, and thereupon comes a jury, to wit: Geo. W. Glasscock and eleven others, good and lawful men, duly empannelled and sworn, who after hearing the pleadings, evidence and Charge of the Court, retired to consider of their verdict, and after deliberation they returned into Court their verdict as follows, to wit: "We the Jury find for the plaintiff Four hundred dollars principal, Interest two hundred and twenty eight dollars and twenty five cts. Geo W. Glasscock, Foreman" It is therefore Considered by the Court that the said plaintiff F. C. Stewart, Adm^x &c. do have and recover of the said defendant the Sum of Six hundred and twenty eight and 25/100 dollars principal debt and interest up to this date, and all costs of suit, for which execution may issue.

X V 1728 — The State of Texas vs. Hall & Odum — Plff / Defts — Now on this day come the parties, the District attorney in behalf of the State and the defendants in person and by attorney, and the defendants plead guilty, and thereupon came a jury to. J. T. Cleveland and eleven others good and lawful men, duly empannelled and sworn, who after hearing the pleadings, evidence adduced, and Charge of the Court, returned into Court their verdict as follows, to wit: "Peter Jury room Nov. 27-66. We of the Jury find the defendants guilty and assess the fine at fifteen dollars. J. T. Cleveland, foreman." It is therefore Considered by the Court that the State of Texas do have and recover of the said defendants the Sum of fifteen dollars and all costs. And it is further ordered that the said defendants stand committed to the Custody of the Sheriff until said fine and costs are paid.

V X 1729 — The State of Texas vs. Hall & Odum — Plff / Defts — Now on this day come the parties, the District attorney in behalf of the State and the defendants in person and by attorney, and the defendants plead guilty, and thereupon comes a jury, to wit: ~~J. T. Cleveland~~ Geo. W. Glasscock and eleven

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others, good and lawful men, duly empannelled and sworn who, after hearing the pleadings, evidence adduced and charge of the Court returned into Court their verdict as follows, to wit. "We the Jury find the defendants guilty and assess the fine at fifteen dollars. Geo. H. Glasscock, foreman.

It is therefore considered by the Court that the State of Texas do have and recover of the said defendants the sum of fifteen dollars and all costs. And it is further Ordered that the said defendants stand committed to the custody of the Sheriff until said fine and costs are paid.

V
X 1730

The State of Texas } Pltff } Now come the parties, the Dis-
vs. } trict Attorney in behalf of the
Hall & Odum } defts. } State and the defendants in
person and by attorney, and the defendants
plead guilty, and thereupon comes a jury, to wit: J. T. Cleve-
land and eleven others, good and lawful men, duly empannelled
and sworn, who, after hearing the pleadings, evidence, adduced and
charge of the Court, returned into Court their verdict as follows, to wit.
"Petit Jury Room Nov. 27/66. We the jury find the defendants
guilty and assess the fine at fifteen dollars. J. T. Cleveland
foreman." It is therefore considered by the Court, that the State
of Texas do have and recover of said defendants the sum of
fifteen dollars, and all costs, And it is further Ordered that said
defendants stand committed to the custody Sheriff, until said fine and
costs are paid.

V
X 1731

The State of Texas } Pltff } Now on this day come the parties, the
vs. } District Attorney in behalf of the State
Hall & Odum } Defts } and the defendants in person and
by attorney, and the defendants plead
Guilty, and thereupon Comes a jury, to wit: J. T. Cleveland, and
eleven others, good and lawful men duly empannelled and
sworn, who, after hearing the pleadings, evidence adduced and
the Charge of the Court, returned into Court their verdict as
follows, to wit: "Petit Jury Room, Nov. 27/66. We the jury find
the defendants Guilty, and assess the fine at Fifteen dollars.
J. T. Cleveland Foreman." It is therefore Considered by the Court
that the State of Texas do have and recover of said the defendants the
Sum of fifteen dollars and all costs. And it is further or-
dered that said defendants stand committed to the custody of
the Sheriff until said fine and costs are paid

V
X 1732

The State of Texas } Pltff } Now on this day come the parties,
vs. } the District Attorney in behalf of
Hall & Odum } Defts. } the State and the defendants in
person and by Attorney, and the defendants
plead guilty, and thereupon comes a jury, to wit: J. T.
Cleveland and eleven others, good and lawful men, duly
empannelled and sworn, who, after hearing the pleadings,
evidence adduced, and the charge of the Court, returned

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into Court their verdict as follows, to wit: "District Court Room Nov. 27/66. We of the Jury find the defendants guilty and assess the fine at fifteen dollars. J. T. Cleveland, foreman." It is therefore considered by the Court that the State of Texas do have and recover of said defendants the sum of fifteen dollars and all costs. And it is further ordered that the said defendants stand committed to the Custody of the Sheriff until said fine and costs are paid.

1738

The State of Texas } Plff
vs. }
Robinson & Jobe } Defts

Now on this day come the parties, the District Attorney in behalf of the State and the defendants by their attorney, and the defendants plead guilty, and thereupon comes a jury, to wit. J. T. Cleveland and eleven others, good and lawful men, duly empannelled and sworn, who, after hearing the pleadings, evidence, adduced and the charge of the Court, returned into Court their verdict as follows, to wit: "District Court Room Nov. 27/66. We of the jury find the defendants guilty and assess the fine as fifteen dollars. J. T. Cleveland, foreman."

It is therefore considered by the Court that the State of Texas do have and recover of the said defendants the sum of fifteen dollars and all costs. And it is further Ordered that the said defendants stand committed to the Custody of the Sheriff until said fine and costs are paid.

1739

The State of Texas } Plff
vs. }
Robinson & Jobe } Defts

Now on this day come the parties, the District Attorney in behalf of the State and the defendants by their attorney, and the defendants plead guilty, and thereupon comes a jury, to wit. J. T. Cleveland and eleven others, good and lawful men, duly empannelled and sworn, who after hearing the pleadings, evidence adduced, and the charge of the Court, returned into Court their verdict as follows, to wit: "District Court Nov. 27/66. We of the Jury find the defendants guilty and assess the fine as fifteen dollars. J. T. Cleveland, foreman." It is therefore considered by the Court, that the State of Texas do have and recover of said defendants the sum of fifteen dollars and all costs. And it is further

1740

The State of Texas } Plff
vs }
Jobe & Robinson } Defts

Now on this day come the parties, the District in behalf of the State, and the defendants by their Attorney, and the defendants plead guilty, and thereupon comes a Jury, to wit. J. T. Cleveland and eleven others, good and lawful men, duly empannelled and sworn, who after hearing the pleadings, evidence adduced, and charge of the Court, returned into Court their verdict as follows, to wit: "District Court Room Nov. 27/66. We of the Jury find the defendants guilty and assess the fine and at fifteen dollars. J. T. Cleveland, foreman." It is therefore considered by the Court, that the State of Texas do have and recover of said defendants the sum of fifteen dollars, and all costs. And it is further ordered that

said Defendants stand committed to the custody of the Sheriff until said fine and costs are paid.

X 1741 The State of Texas } Plff } Now on this day come the parties, the
vs. } District Attorney in behalf of the State and
Robinson Jobe } Defts } the Defendants by their Attorney, and the
Defendants plead guilty, and thereupon comes a
Jury, to wit: J. T. Cleveland and eleven others, good and lawful men
duly empannelled and sworn, who after hearing the pleadings,
evidence adduced, and Charge of the Court, returned into Court the
following verdict, to wit: "District Court Room Nov. 27/66. We of
the Jury find the Defendants guilty and assess the fine at fifteen
dollars. J. T. Cleveland, foreman."

It is therefore considered by the Court that the State of Texas do have and recover of said Defendants the sum of fifteen dollars, and costs. And it is further ordered that said Defendants stand committed to the custody of the Sheriff until said fine and costs are paid.

V X 1745 The State of Texas } Plff } Now on this day come the parties, the
vs. } District Attorney in behalf of the State, and
Keller } Deft. } the Defendant in person and by attorney,
and the Defendant pleads guilty, and thereupon
comes a Jury, to wit: J. T. Cleveland and eleven others, good and
lawful men, duly empannelled and sworn, who after hearing the pleadings, evidence adduced,
and Charge of the Court, returned into Court the following verdict,
to wit: "District Court Room Nov. 27/66. We of the Jury find
the Defendant guilty and assess the fine at fifteen dollars.
J. T. Cleveland, foreman."

It is therefore Considered by the Court that the said Plaintiff State of Texas do have and recover of said Defendant the sum of fifteen dollars and costs. And it is further Ordered that the said Defendant stand committed to the custody of the Sheriff until said fine and costs are paid.

✓ X 1748 The State of Texas } Plff } Now on this day come the parties, the
vs. } District Attorney in behalf of the State,
Schultz } Deft. } and the defendant in person and by attorney
and the Defendant pleads guilty, and thereupon
comes a Jury, to wit: J. T. Cleveland and eleven others, good
and lawful men, duly empannelled and sworn, who after
hearing the pleadings, evidence adduced, and Charge of the
Court, returned into Court, the following verdict, to wit:
"District Court Room, Nov. 27th 66. We of the Jury find the
defendant guilty and assess the fine at fifteen dollars
J. T. Cleveland, foreman." It is therefore Considered by
the Court that the State of Texas do have and recover of said
defendant, the Sum of fifteen dollars, and all costs. And
it is further ordered that said Defendant stand committed to
the Custody of the Sheriff until said fine and costs are paid.

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J	The State of Texas	Plff	}	Now come the District Attorney and the
	vs		}	defendant by attorney, and the motion to
x1664	Hankey	Deft	}	quash the Indictment coming on to be

heard, It is ordered that the same be sustained, and it is further ordered that the defendant Hankey go the State of Texas take nothing by her said Suit, and that the defendant Hankey go hence without day, fully discharged from said Indictment

1692	The State of Texas	vs.	Klein.
1733	Same	vs.	Hall & Odem
1734	Same	vs.	Same,
1735	Same	vs.	Same
1736	Same	vs.	Same
1737	Same	vs.	Same.
1742	Same	vs	Robinson & Jobe
1743	Same	vs	Same
1744	Same	vs	Same
1746	Same	vs	Keller
1747	Same	vs.	Same.
1749	Same	vs.	Schultz.
1789	Same	vs.	Robinson & Jobe
1790	Same	vs.	Same.

Now on this day comes the District Attorney and enters a Nolle Prosequi in the above fourteen cases. It is therefore ordered by the Court that the defendants in the above named causes go hence without day fully discharged from said Indictments.

1751	The State of Texas	vs.	Sanford	Defs - Continued for service and bail fixed at $1500. ea
1751	Same	vs.	Barnes	- Continued for service and bail fixed at $500.
1752	Same	vs.	John Conner	- Continued for service and bail fixed at $500.
1754	Same	vs.	Bouckerhoff	- Continued for service and bail fixed at $100.

1753	The State of Texas vs. A.G. Buddington	Plff Deft	} Now on this day appeared in open Court, A.G. Buddington as principal, and F.B. Chandler as his Surety, and acknowledged themselves to owe and be indebted unto the State of Texas in the sum of two thousand dollars each, to be levied upon their respective goods and chattels, lands and tenements, but to be void nevertheless upon Condition that the said A.G. Buddington shall appear before the District Court of Travis County now in session, then and there to answer to an Indictment preferred against him by the Grand Jurors of said County, at the Fall Term of said Court, 1866, and there remain from day to day and from term to term thereafter, and that he do not depart the Court without leave.

1710	The State of Texas	vs.	Geo. Martin & Jack Nash.	Continued for service and bail fixed at $500. each
1711	Same	vs	Frank Freedman	Continued for service and bail fixed $1000.
1712	Same	vs.	Same -	Continued for service and bail fixed at $1000.

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1700 The State of Texas vs. Sampson Murray et al } Plff / Defts } It is ordered by the Court that this cause be Continued to await the Service of said Defendant Sampson Murray, in the Penitentiary.

Whereupon Court adjourned till Tomorrow morning 9 o'clock

Saturday Morning Nov 24th 1866. Court comes at 9 o'clock A.M. pursuant to adjournment, present the same as on yesterday, whereupon the following proceeding were had by said Court as follows to wit-

1528 The State of Texas vs. Ben Thompson et al } Plff / Defts } Now on this day come the District Attorney, who prosecute in behalf of the State, and the defendant Ben Thompson in person and by attorneys, and the motion to Continue by the State coming on to be heard, the same was overruled, and also the motion by defendant to quash the Indictment was by the Court overruled, and the parties announce ready for trial- Whereupon Comes a jury of twelve good and lawful men of Travis County to wit. Ben Hennicks and eleven others, duly impannelled and sworn, who after hearing the Indictment read, evidence adduced and Charge of the Court, retired to Consider of their verdict and after due deliberation returned into Court the following verdict, to wit: "We the Jury find the defendant, Ben Thompson not guilty. Ben- Hennicks foreman." It is therefore ordered adjudged and decreed by the Court that said defendant Thompson stand acquitted of the charge, and that he go hence without day, and that this cause stand Continued as to the defendant John Rapp.

1641 State of Texas vs. John Conner } Plff / Defts } Now comes the District Attorney and enters a Nolle prosqui in this cause. It is therefore ordered by the Court that the defendant John Conner, go hence without day, fully discharged of said Indictment.

2522. Phelps & Johnson Plff. vs. John Stringer Deft. } In Dist Court of Travis County Nov 27th 1866.

This day came the parties in the above Stated Cause by their attorneys and agreed that a Judgement and decree should be rendered in said cause according to the terms and conditions Contained in an agreement between said parties filed in said cause which agreement is as follows to wit:

Phelps & Johnson vs. John Stringer } Travis County Texas Dist Court Fall Term 1866

In this case the Defendant by his attorneys propose to pay rent on the property in Controversy since demand made on him for possession of the same 18th Sept 1866 at the rate of one hundred & fifty Dollars in U.S. Currency per month and not to be

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responsible for any rent anterior to that date not to be allowed any compensation for improvements on said property and Judgement to be rendered in favor of Plaintiff for the property with writ of possession at once,

John Stringer Deft.

We accept this as per agreement by the Deft. The writ of possession to ~~issue~~ issue instanter ~~restored~~ if demanded

Nov 26th 1866 ~.

Hancock & West
W. L. & C. L. Bolands
Attys for Plffs.

And it appearing to the Satisfaction of the court that the said Defendant has paid the said Plaintiffs the sum of three hundred and thirty dollars in United States Currency the amount due for the rent of the premises in Controversy from the 18th day of September A.D. 1866 to & including the 27 day of Nov. 1866 and it appearing further to the Court that all of the parties in said Court are properly represented. It is therefore ordered adjudged and decreed that the said John Philips James C. Philips and Wesley Johnston have and recover of the said John Stringer, the property in Controversy to wit: Lot Number one Block number Eighty three in the City of Austin, and in the County of Travis and State of Texas, being the same now occupied by the said John Stringer as a Hotel, together with all the improvements and fixtures thereon, and thereto attached and belonging and the Counters, Shelves Desks and other fixtures in, upon and belonging to the said premises. It is further ordered adjudged and decreed that said Plaintiffs do have his writ of possession for said premises, to be issued instanter if demanded by said Plaintiffs or their Attorneys. It is further ordered adjudged and decreed that Plaintiffs take nothing for any rents claimed by them for said premises anterior to the 18th day of September A.D. 1866 It is further ordered adjudged and decreed that the said Defendant have, recover and take nothing of Plaintiffs for any improvements made on and upon said premises or for any waste and alienation given to the same or for any damages as alledged in Defendants pleadings or otherwise. It is further ordered adjudged and decreed that Defendant pay all costs of this suit and that execution issue therefor in terms of the law.

Nov 28th 1866

No 2502. Lucius P. Houston Plff
vs.
Thomas J. Hill,
R. M. Johnson,
Thomas H. Jones, Defts

And now came the Plaintiff by Attorney and asks for a judgement final by default. And it appearing to the Satisfaction of the Court that the Defendants have been duly cited and have wholly failed to plead answer or demur to Plaintiffs petition within the time prescribed by law and the plaintiffs cause of action being liquidated as shown by the note of hand of Defendants produced and shown in open Court and in this Cause filed. It is therefore considered by the Court that the Plaintiff Lucius P. Houston do have and recover of and from the Defendants, Thos J. Hill R. M. Johnson & Thomas H. Jones the Sum of Two Hundred and Eighty Seven 85/100 Dollars principal debt and interest due on the Note Sued on to this date with ten per Cent interest thereon until paid together with all Costs in this behalf expended for all which execution may issue.

District Court Minutes, Saturday Fall Term, Nov. 24 1866

Lucius P. Houston } Plff
vs.
Thomas H. Jones & R. M. Johnson } Defts

In District Court Nov. 24 1866

In this cause comes the Plaintiff by Attorney and asks for a judgment by default, and appearing to the satisfaction of the Court that the defendants have been duly cited and have failed to plead, answer or demur to Plaintiffs petition, but have wholly made default. And it appearing to the Court, that the Plaintiffs cause of action is a liquidated demand as shown by the note of hand of defendants produced and shown in open Court, and filed among the papers in this cause. It is therefore considered by the Court, that the Plaintiff Lucius P. Houston do have and recover of and from the defendants Thomas H. Jones and R. M. Johnson the sum of One thousand and forty two dollars and twenty eight cts, principal debt and interest thereon until paid, together with all costs in this behalf expended may issue as the law directs.

M. L. 8/67. This judgt. is satisfied as appears by a note of R. M. Johnson for $1042.28 dated Nov. 24th 1866 due one day after date. Clk.

2095

Horatio Grooms } Plff
vs.
G. R. Freeman & P. E. Holcomb } Defts

In District Court Nov. 24th 1866.

This Cause being regularly reached on this day, comes now the plaintiff by attorney, and the defendants come not but made default. And thereupon the said Bill of petition is taken For Confessed. And it is ordered adjudged and decreed by the Court, that the injunction herein granted on Dec. 3rd 1865 and issued on January 4th 1865, and served on said defendants, be and the same is hereby made perpetual. And it is further ordered by the Court, that the plaintiff do recover of the said defendants P. E. Holcomb all the costs herein expended for which execution may issue.

Now on this day appeared in open Court the Grand Jury of Travis County duly elected empannelled, Sworn and charged for and during the present Term of this Court, and through their foreman James A. Thompson, presented to the Court the following Bills of Indictment, to wit:

1763 The State of Texas vs. Hankey — Permitting Faro.
1764 Same vs Same Retailing Liquor on Sunday.
1765 Same vs. Same do do.
1766 Same vs. Same Permitting Faro.
1767 Same vs Same do do.
1768 Same vs. Madison Banks — Theft.
1769 Same vs A. G. Bridgeman. Butchering beef without obtaining hide &c
1770 Same vs. Same do. do.
1771 Same vs Same do do
1772 Same vs Same do do
1773 Same vs Baker & Krohn do do.
1774 Same vs Same do do.
1775 Same vs Same do do.
1776 Same vs. Jo. Luxinger. do do.

District Court Minutes, Saturday Fall Term, Nov. 24 1866

1777 The State of Texas vs Jos. Lucksinger - Butchering beef without returning list &c
1778 Same vs. Same do do
1779 Same vs Same do do
1780 Same vs. Same do do
1781 Same vs. Same do do
1782 Same vs Brown Sawyer. Using an estray &c
1783 Same vs. Klein - Permitting banking game &c
1784 Same vs. Same do do.
1785 Same vs Same do do
1786 Same vs. Branch et al. Betting at Faro.
1787 Same vs John Conner - Permitting Faro &c.
1788 Same vs Same. Permitting a gaming table &c.
1789 Same vs. Robinson & Jobe - Retailing liquor on Sunday.
1790 Same vs. Same do do do
1791 Same vs. Banks do do do
1792 Same vs Same do do do
1793 Same vs A.P. Rutledge - Cutting timber - &c.
1794 Same vs. Same do do
1795 Same vs. Red Liz - Theft
1796 Same vs. Schulling - Playing cards in a grocery
1797 Same vs. Long Davis - Theft
1798 Same vs. Hall & Odum - Permitting gaming
1799 Same vs George Pelham - Theft
1800 Same vs. Calania Luce Rias - do
1801 Same vs Albert do.
1802 Same vs Billy Thompson - Ex. banking Game
1803 Same vs. Same do do.
1804 Same vs George Goodfriedman Theft
1805 Same vs Same do.
1806 Same vs. Klein - Permitting Faro.

And the said Grand Jury reporting that they had no further business before them, were thereupon discharged

1597 The State of Texas vs. E. Goodman, Continued by the State
1641 Same vs John Conner - And now on this day comes the District Attorney and enters a Nolle prosequi. It is therefore Ordered by the Court that the defendant go hence without day fully discharged from said Indictment.

1661 The State of Texas } Deft } In District Court Travis Nov. 27/66
vs.
Billy Wilson, freedman } Deft. }

Now on this day appeared the parties, the District Attorney in behalf of the State, and the defendant in person and by his Attorney, and announced themselves ready for trial - whereupon came a jury of good and lawful men of Travis County to wit: H. Green and eleven others, duly elected, empannelled and sworn, who, after hearing the pleading, evidence adduced, arguments of Counsel and charge of the Court, retired to consider of their verdict - and after due deliberation returned into Court the following verdict to wit: " We the jury find the defendant not guilty, H. Green, Foreman " It is therefore ordered adjudged and decreed by the

District Court Minutes, Saturday Fall Term, Nov. 24 1866

Court that the said defendant Billy Wilson go hence without day fully discharged from said Indictment

1667 The State of Texas vs. Keller } Pff. Deft. } It is ordered by the Court that Ernest Wagner a witness in this cause be fined one hundred dollars for refusing to testify in said cause - And it is further ordered that said Ernest Wagner stand committed to the County jail until said fine and costs are paid.

1735 State of Texas vs Dan Morris - Continued for service and bail fixed at $500.
1756 Same vs. Bin Hines et als - Continued for service and bail fixed at $200 each
1757 Same vs. Chas. Smith - Continued for service and bail fixed at $500
1758 Same vs. Tom Achilbrand. Continued for service and bail fixed at $500. each.
1759 Same vs. Oliver A. McFarland - Continued for service and bail at $1000.
1760 Same vs. Meshae - (freed) Continued for service and bail fixed at $200.
1763 Same vs. Hankey - Continued for service and bail fixed at $100.
1764 Same vs Same - Continued for service and bail fixed at $100.
1765 Same vs Same - Continued for service and bail fixed at $100.
1766 Same vs. Same - Continued for service and bail fixed at $100.
1767 Same vs. Same, Continued for service, alias Capias - and bail fixed at $200

1768 The State of Texas vs. Madison Banks (freedman) } Pff. Deft. } Now on this day came the District Attorney who prosecutes in behalf of the State and the defendant in person and by attorney - and announced themselves ready for trial. The defendant pleaded not guilty - Whereupon came a Jury of good and lawful men of Travis County - to wit: D. P. Kinney and eleven others, duly elected, impannelled, and sworn, who after hearing the pleadings, evidence adduced, arguments of Counsel and Charge of the Court, retired to consider of their verdict - and after due deliberation returned into Court the following verdict to wit: " We the Jury find the defendant guilty and assess this punishment at five years imprisonment in the Penitentiary. D. P. Kinney foreman." It is therefore ordered adjudged and decreed by the Court that the defendant, Madison Banks be remanded to gail

1699 The State of Texas vs. Simpson Murray (freed) } Pff. Deft. } Now on on this day came the parties to this suit, the District Attorney in behalf of the State, and the defendant in person and by his Attorney, and the Motion to quash the Indictment being argued, the same was overruled, and the defendant pleads not guilty, after the parties announced themselves for trial comes a jury of good and lawful men of Travis County, to wit: J. F. Cleveland and eleven others, duly elected, empannelled and sworn, who after hearing the evidence adduced, pleadings, argument of Counsel and charge of the Court, retired to consider of their verdict, and after due deliberation returned into Court the following verdict, to wit: " Pitt jury Room Nov. 27/66. We of the jury find the defendant guilty

and award the punishment at two years in the Penitentiary, J. T. Cleveland foreman." Whereupon said defendant Sampson Murray was remanded to jail.

Whereupon Court adjourned till Monday morning 9 o'clock.

Monday Nov. 26th 1866. Court met at 9 o'clock A.M. Present the same as on yesterday Saturday, pursuant to adjournment whereupon the following proceedings were had, to wit:

	The State of Texas vs. N. D. Miller et als	Pltff Defts	Now on this day the motion to reinstate coming on to be heard. It is ordered by the Court that the same be overruled.
1638	The State of Texas vs. Robbins et al	Pltff Defts	Now the motion to quash coming to be heard the same was dismissed by the defendants.
1594	The State of Texas vs. Wm Hudson et al		Now on this day came on the motion to quash the Indictment in this case, to be heard. Whereupon it is ordered that the same be continued.
1625	The State of Texas vs. Nat Moore		The motion to quash the Indictment in this cause coming on to be heard. It is ordered by the Court that the same be continued.
1761	The State of Texas vs. Hankey	Pltff Deft.	Now on this day come the parties, the District Attorney in behalf of the State and the defendant by his attorney, and the motion to quash the Indictment and demurrer being argued by the Counsel for the defence the same was by the Court overruled, and thereupon the parties announced themselves ready for trial, the defendant pleading not guilty. Whereupon came a Jury of good and lawful men of Travis County: to wit. J. T. Cleveland and eleven others, duly elected impannelled and Sworn, who after hearing the pleadings, evidence adduced, argument of Counsel and Charge of the Court retired to consider of their verdict, and after due deliberation returned into Court the following verdict, to wit. "District Court Room Nov. 28/66. We the jury find the defendant not guilty. J. T. Cleveland, foreman." It is therefore ordered adjudged and decreed by the Court that the State of Texas take nothing by her said suit, and that the defendant Hankey go hence without day, fully discharged from said Indictment
1762	The State of Texas vs. Hankey	Pltff Deft.	This cause being called for trial, the defendant by his Attorney excepted to the Indictment and is ordered by the Court that said exceptions be sustained, Whereupon it is therefore ordered by the Court that the State take nothing by her said suit and that the said Hankey go hence without day. The District Attorney, in open Court gave notice of an appeal

District Court Minutes, Monday 2d Day Term, Nov. 26th 1866

X 1662 The State of Texas vs. Moses Swisher (prud) } Plff / Deft } It is ordered by the Court, that the fine heretofore entered against Minus Long as defaulting witness in this cause, be and the same is hereby remitted, and it is further ordered that said Minus Long pay all costs -

1625 The State of Texas vs. Nat Moore } Plff / Deft } It is ordered by the Court that Thos Mc and — Duncan be fined fifty dollars each for failing to appear as witnesses in this Cause, in behalf of the State and it is further Ordered that Scire facias do issue to each of them returnable to the next Term of this Court, Commanding them then and there to appear shew cause if any they can, why this judgment shall not be made final against them as aforesaid, and cause Continued by the State.

1622 The State of Texas vs. A. B. Mitchell. Defendant

This cause being called for trial, the Defendant failing to appear and answer to the Indictment in this cause, he and his Sureties, John Conner and A. B Burleson, being distinctly called at the door of the Court House of Travis County, and the defendant after a reasonable length of time still failed to appear; and it appearing to the Court that the Defendant A. B Mitchell with the said John Conner and A Burleson as his Sureties, did execute the Bail Bond on file in this case substantially as follows. Dated October 9th 1866 payable unto the State of Texas in the Sum of one hundred and fifty dollars, Conditioned that the said Defendant A. B. Mitchell make his personal appearance at the District Court of said County of Travis on the Fourth Monday after the first Monday in September 1866, to answer the Indictment preferred against him the said Defendant A. B. Mitchell by the Grand Jurors of Travis County at the Spring Term A.D. 1866 for playing at a game with cards at a certain house commonly used 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. Which said Bond is forfeited, and it is Considered by the Court that the State of Texas do have and recover of the said A. B. Mitchell the Sum of one hundred and fifty dollars and of his said Sureties the Sum of One hundred and fifty dollars, and that this judgment will be made final unless good cause be shown at the next term of this Court why the said Defendant A. B. Mitchell, and it is further ordered that Citations do issue to the said Sureties and Alias copias ordered and cause Continued and bail fixed at $100.

1624 The State of Texas vs. Wm Thomson

This cause being called for trial the defendant failing to appear and answer to the Indictment in this cause, he and his Surety Leigh Chalmers being distinctly called at the door of the Court House of said County, and the defendant after

a reasonable length of time still failed to appear, and it appearing to the Court that the defendant N Thomson with the said Leigh Chalmers as his Surety, did execute the Bail Bond in file in this case substantially as follows: Dated October 4th 1866 payable unto the State of Texas in the sum of One hundred and fifty dollars, Conditioned that the said defendant N Thomson make his personal appearance at the District Court of said County of Travis on the tenth Monday after the first Monday in September A.D. 1866 to answer the Indictment preferred against him by the Grand Jurors the said defendant Thomson by the Grand Jurors of Travis County at the Spring Term A.D. 1866 for playing at a game with cards at a certain house commonly used 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. Which said Bond is forfeited, And it is Considered by the Court that the State of Texas do have and recover of the said N. Thomson the said sum of One hundred and fifty dollars and of his said Surety the sum of one hundred and fifty dollars and that this judgment will be made final unless good cause be shown at the next term of this Court why the said defendant N Thompson did not appear. And it is further ordered that Citation do issue to the said Surety, and alias capias awarded and Cause Continued)

1603 The State of Texas vs. Thomas Warren

It is ordered by the Court that William Gibson and Wade Henry witnesses in behalf of the State in the above cause for failing to appear and testify in said cause, be fined each $50. And it is further ordered by the Court 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 as aforesaid, and Attachment awarded and Cause Continued.

1594 The State of Texas vs. Joseph Jackson

This Cause being called for trial, the defendant failing to appear and answer to the Indictment in this case he and his Securities D. C. Sheep and Clayton Scroggins being distinctly called at the door of the Court House of Travis County, and the defendant after a reasonable length of time still failed to appear; and it appearing to the Court that the defendant Joseph Jackson with the said D. C. Sheep and Clayton Scroggins as his Securities, did execute the Bail Bond on file in this case substantially as follows: Dated March 7th 1866. payable unto the State of Texas in the sum of Five Hundred dollars Conditioned that the said Defendant Joseph Jackson make his personal appearance at the District Court of said County of Travis on the tenth Monday after the first Monday in March A.D. 1866 to answer the Indictment preferred against the said defendant Joseph Jackson by the Grand Jurors of Travis County at the Fall Term A.D. 1865 for theft, and there remain from day to day and from term to term of said Court, and that he do not depart thence without leave of said Court. Which said Bail Bond is forfeited, And it is Considered by the Court that the State of Texas do have and recover of the said Joseph Jackson the sum of Five hundred dollars, and of his said Securities the sum of Five Hundred dollars, and that this judgment will be made final unless good cause be

District Court Minutes, Monday Fall Term, Nov. 26th 1866

shown at the next Term of this Court why the said defendant Joseph Jackson did not appear, and it is further ordered that Citations do ijsue the said Sureties, Alias capias awarded and cause continued.

1591 The State of Texas vs. Ben Hines & Dr. Jones Defts.

This cause being called for trial the defendant Hines failing to appear and answer to the Indictment in this case, he and his Sureties Thos. Bowles and J. M. Steiner being distinctly called at the door of the Court House of Travis County, and the defendant after a reasonable length of time still failed to appear, and it appearing to the Court that the defendant Ben Hines with the said Thos. Bowles and J. M. Steiner as his Sureties, did execute the Bail Bond on file in this case substantially as follows: Dated the 4th day of March 1866 Payable unto the State of Texas in the sum of two hundred and fifty dollars, conditioned that the said defendant Ben Hines shall make his personal appearance at the District Court of said County of Travis in the tenth Monday after the first Monday in September 1866 to answer the Indictment preferred against the said defendant Ben Hines by the Grand Jurors of Travis County at the Fall A.D. 1865 for an appeal and there remain from day to day and from term to term of said Court, and that he do not depart thence without leave of said Court. Which said Bond is forfeited, And it is considered by the Court that the State of Texas do have and recover of the said Ben Hines the sum of two hundred and fifty dollars and of his said Sureties the sum of Two hundred and fifty dollars, and that this judgment will be made final unless good cause be shown at the next term of this Court why the said defendant Ben Hines did not appear, and it is further ordered that Citations do ijsue to the said Sureties, and that alias capias awarded, cause continued, and bail fixed at $500.

Whereupon Court adjourned till tomorrow morning 9 o'clock

Tuesday Nov. 27th 1866. Court met at 9 o'clock a.m. pursuant to adjournment present the same as on yesterday, whereupon the following proceedings were had, to wit:

1337 A. G. Weis vs. R. Creuzbaur & Wm. M. Booth-Intervenor.

It is ordered that this cause be dismissed by consent and it is further ordered that each party shall pay his own costs in this behalf for which execution may ijsue

2376 D. A. Swenson vs. George W. Glasscock Nov. 28/66

Now comes the plaintiff by his attorney and asks for a judgment final by default, and it appearing to the satisfaction of the Court, that the defendant has been duly cited, and has wholly failed to plead answer or demur to plaintiff's petition within the time prescribed by law, and the plaintiffs cause of action being liquidated as shown by the note of hand of defendant produced in open Court and filed in this cause. It is therefore Considered by the Court

that the Plaintiff S. M. Swenson do have and recover of the said defendant Geo. N. Glascock the sum of one hundred and sixty two and 67/100 dollars principal debt and interest due on the note sued on to this date with ten per cent interest thereon until paid together with all costs in this behalf expended for which execution may issue.

X 2477 Griffith, Hyatt & Co. vs. Frank E. Adams & Beverly G. Goodrich.
And now comes the plaintiff by attorney and asks judgment by default. And it appearing to the satisfaction of the Court that the defendants have been duly cited and have wholly failed to plead answer or demur to plaintiffs' petition within the time prescribed by law, and the Plaintiffs' cause of action being liquidated as shown by the note of hand of Defendants produced in open Court and in this cause filed. It is therefore ordered and adjudged by the Court that the Plaintiffs' Griffith, Hyatt & Co. do have and recover of the defendants Frank E. Adams and Beverly G. Goodrich the sum of Two hundred and eleven and 33/100 dollars principal debt and interest due on the Note sued on to this date together with all costs in this behalf expended for which execution may issue

X 2394 S. M. Swenson vs. Abner H. Cook Nov. 28/66
And now comes the Plaintiffs by attorney and asks for a judgment final by default. And it appearing to the Court that the defendant has been duly cited and has failed wholly to plead answer or demur to Plaintiffs' petition within the time prescribed by law. And the Plaintiffs' cause of action being liquidated as shown by the note of defendants produced in open Court and filed in this cause. It is therefore considered by the Court that the Plaintiff S. M. Swenson do have and recover of the said defendant Abner H. Cook the sum of Two Hundred and Eighty One and 36/100 dollars principal debt and interest due on the note sued on to this date, with ten per cent interest thereon until paid together with all costs in this behalf expended for which execution may issue.

X 2393 S. M. Swenson vs. C. S. Millett. Nov. 28/66.
And now comes the Plaintiff by attorney and asks judgment final by default. And it appearing to the satisfaction of the Court that the defendant has been duly cited and has wholly failed to plead answer or demur to Plaintiffs petition within the time prescribed by law. And the Plaintiffs cause of action being liquidated as shown by the note of defendant produced in open Court and filed in this cause. It is therefore considered by the Court that the Plaintiff S. M. Swenson do have and recover of the said defendant C. S. Millett the sum of Three Hundred and Forty Seven and 75/100 dollars principal debt and interest due on the Note sued on to this date with ten per cent interest thereon until paid, together with all costs in this behalf expended for which execution may issue.

District Court Minutes, Tuesday Fall Term, Nov 27 1860

V

X 1732 The State of Texas vs. John S Thorn, Wm B. Ochiltree & John S. Ford & N.C. Philips

Now on this day comes the Dist Atty. in behalf of the State and claimed judgment final by default against these defendants for the want of an answer and because it appearing that a forfeiture was intered on the 16th day of December A.D. 1859 against these defendants for the sum of fifteen Hundred dollars in cause No. 611 of the State of Texas vs. John S. Thorn, charged with perjury, on a Bond entered into by them on the 16th day of August A.D. 1856 Conditioned that the said John S. Thorn should appear and answer the Indictment in said cause, to which reference is made and the said defendants having been duly served by writ of Scire facias to appear and show cause why said judgment nisi should not be made final, which they have wholly failed to do within the time prescribed by law. It is therefore ordered, adjudged and decreed by the Court, that the said judgment nisi be made final, and that the State of Texas do have and recover of and from the said Defendants, John S. Thorn, Wm B. Ochiltree, John S. Ford, and N. C. Philips, adm^rs &c. of Wm O'Connell the said sum of Fifteen Hundred dollars and all costs of this prosecution and that execution issue therefor.

V

X 1921 The State of Texas vs. John S. Thorn, Wm B. Ochiltree, John S. Ford & N. C. Philips

Now on this day comes the District Attorney in behalf of the State, and claimed final judgment by default against these defendants for the want of an answer, and because it appearing to the Court that a forfeiture was entered on the 16th day of December 1859, against these defendants for the sum of fifteen hundred dollars in Cause No. 611 of the State of Texas vs. John S. Thorn, (charged with forgery) on a bond entered into by them on the 16th day of August A.D. 1856 conditioned that the said John S. Thorn shall appear and answer the Indictment in said cause, to which reference is made, and the said defendants having been duly served by writs of Scire facias to appear and show cause why said judgment nisi should not be made final, which they have wholly failed to do within the time prescribed by law. It is therefore ordered, adjudged and decreed by the Court, that the said judgment nisi be made final, and that the State of Texas do have and recover of and from the said defendants, John S. Thorn, John S Ford, Wm B. Ochiltree, and N. C. Philips, adm^rs of Wm O'Connell dec^d the said sum of Fifteen Hundred dollars, and all costs of this prosecution, and that execution issue therefor.

Nov 29/60

V

X 2199 The State of Texas vs. W. B. Covington, J. Z. Bean & J. C. Haralson.

Now on this day comes the District Attorney in behalf of the State, and dismisses as to the defendants Covington and Bean, and claims judgment final by default against the defendant J. C. Haralson for the want of an answer, and because it appearing that a forfeiture was entered on the 18th day of December A.D. 1860. against the defendants W. B. Covington J. Z. Bean and J. C. Haralson for the sum of One hundred

Dollars in cause No. 1264 of the State of Texas vs. W.B. Covington (charged with playing at a game with cards in a room attached to a grocery) on a Bond entered into by them on the 5th day of March A.D. 1866. Conditioned that the said W.B Covington should appear and answer the Indictment in said cause, to which reference is made, and the said defendans having been duly extra served by a writ of Scire facias to appear and show cause why said judgment nisi should not be made final, which they have wholly failed to do within the time prescribed by law - It is therefore ordered adjudged and decreed by the Court, that the said judgment nisi be made final against the said defendans J.C. Haralson, and that the State of Texas do have and recover of and from the said defendans Haralson the said Sum of One hundred dollars and all costs of this prosecution, and that Execution ifsue therefor.

Nov. 29/66

V

2120 The State of Texas vs. Robert H. Cumby, B.J. Sikes & T.J. Durham

Now on this day comes the District Attorney in behalf of the State and dismisses as to the defendant B.J. Sikes and claims judgment final by default against the defendants Robert H. Cumby and T.J. Durham for the want of an answer, and it appearing that a forfeiture was entered on the 28th day of December A.D. 1865, against these defendants for the Sum of One Hundred dollars in Cause No. 1379 of the State of Texas vs. Robert H. Cumby, charged with playing cards at a game with cards in a room attached to a house for the retailing of spirituous liquors on a Bond entered into by them on the 19th day of September A.D. 1865. Conditioned that the said Robert H. Cumby shall appear answer the Indictment in said cause, to which reference is made, and the said defendants Cumby and Durham having been duly served by writ of Scire facias to appear and show cause why said judgment nisi should not be made final which they have wholly failed to do within the time prescribed by law. It is therefore ordered, adjudged and decreed by the Court, that the said judgment nisi be made final against the defendants Robt. H. Cumby and T.J. Durham, and that the State of Texas do have and recover of and from the said defendants Cumby & Durham the said Sum of One hundred dollars and all costs of this prosecution, and that execution ifsue therefor.

J

1667 The State of Texas vs. Keller - Nov. 30th 1866

The Witness Ennis Wynn having been committed to the County Jail at a former day of this Term for refusing to testify in the above cause, being brought into open Court on this day and asked by the Court whether he was now ready to testify and give evidence in said Cause, declared that he would not give evidence. It is ordered and adjudged by the Court that a fine of two hundred dollars be and the same is hereby assessed against said Ennis Wynn for refusing to testify, and that he stand Committed to the County jail until said fine and costs are paid, and until he signifies his willingness to give evidence in said cause.

District Court Minutes, Tuesday Fall Term, Nov. 27 1866

Nov. 20th 1866.

V

2121. The State of Texas vs. R. H. Cumby, B. J. Likens and T. J. Durham

Now on this day comes the District Attorney in behalf of the State and dismisses as to the defendant Likens, and claims judgment final by default against the defendants R. H. Cumby and T. J. Durham for the want of an answer, and because it appearing that a Forfeiture was entered on the 21st day of December 1860 against these defendants for the Sum of One Hundred dollars in cause No. 1333 of the State of Texas vs. R. H. Cumby, Charged with betting at a Gaming Bank called Faro, on a Bond entered into by them on the 19th day of September A.D. 1860 Conditioned that the said R. H. Cumby should make appear and answer the Indictment in said Cause, to which reference is made, and the said defendants having been duly served by writ of Scire facias to appear and show cause why said judgment nisi should not be made final which they have wholly failed to do within the time prescribed by law

It is therefore ordered, adjudged and decreed by the Court, that the said judgment nisi be made final, and that the State of Texas do have and recover of and from the said defendants R. H. Cumby and T. J. Durham the said Sum of One hundred dollars and all costs of this prosecution, and that execution issue therefor.

V

Nov. 20th 1866.

2122 The State of Texas vs. R. H. Cumby and J. H. Nelms

Now on this day comes the District attorney in behalf of the State, and claims judgment final by default against these defendants for the want of an answer, and because it appearing that a forfeiture was entered on the 18th day of December 1860 against these defendants for the sum of two hundred dollars in cause No. 1269 of the State of Texas vs. R. H. Cumby, charged with betting at faro, on a Bond entered into by them on the 15th day of May A.D. 1860, conditioned that the said R. H. Cumby should appear and answer the Indictment in said cause, to which reference is made, and the said defendants having been duly served by writ of Scire facias to appear and show cause why said judgment nisi should not be made final, which they have wholly failed to do within the time prescribed by law.

It is therefore ordered, adjudged and decreed by the Court that the said judgment nisi be made final, and that the State of Texas do have and recover of and from the said defendants, R. H. Cumby and J. H. Nelms the said sum of two hundred dollars and all costs of this prosecution, and that execution issue therefor.

V

2123 The State of Texas vs. R. H. Cumby and J. H. Nelms

Now on this day comes the District Attorney in behalf of the State and claims judgment final by default against these defendants for want of an answer, and because it appearing that a forfeiture was entered on the 18th day of December A.D. 1860 against these defendants for the sum of two hundred dollars in cause No. 1268, of the State of Texas vs. R. H. Cumby, charged with betting at faro, on a Bond entered into by them on the 15th day of May 1860

conditioned that said R. H. Cumby shall appear and answer the Indictment in said cause, to which reference is made, and the said defendants having been duly served by writ of Scire facias to appear and show cause why said judgment nii si should not be made final, which they have wholly failed to do within the time prescribed by law. It is therefore ordered adjudged and decreed by the Court, that the said judgment nii si be made final, and that the State of Texas do have and recover of and from the said defendants R. H. Cumby and J. H. Nelms the said sum of two Hundred dollars, and all costs of this prosecution, and that execution issue therefor.

Nov. 20th 1866.

2127 The State of Texas vs. Thos P. Ochiltree, Eli H Baxter jr & Phil Brown.

Now on this day comes the District Attorney in behalf of the State and claims judgment final by default against these defendants for the want of an answer and because it appearing that a forfeiture was entered on the 21st day of December A.D. 1866. against these defendants for the sum of One Hundred dollars in cause No. 1333 of the State of Texas vs. Thomas P. Ochiltree charged with betting at a gaming bank called "Faro" on a Bond entered into by them on the 27th day of September A.D. 1866. conditioned that the said Thos. P. Ochiltree shall appear and answer the Indictment in said cause, to which reference is made, and the said defendants having been duly served by writ of Scire facias to appear and show cause ~~why judgment nii si should not be made~~ why said judgment nii si should not be made final, which they have wholly failed to do within the time prescribed by law, It is therefore ordered, adjudged and decreed by the Court that the said judgment nii si be made final, and that the State of Texas do have and recover of and from the said defendants Thomas P. Ochiltree, Eli H Baxter jr and Phil Brown the said sum of One Hundred Dollars and all costs of this prosecution, and that execution issue therefor.

Nov. 21st 1866

2128 The State of Texas vs Thos P Ochiltree, Eli H Baxter & Phil Brown

Now on this day comes the District Attorney in behalf of the State, and claims judgment final by default against the defendants for the want of an answer, and because it appearing that a forfeiture was entered on the 21st day of December A.D. 1866. against these defendants for the Sum of One Hundred dollars in cause No. 1332, of the State of Texas vs Thomas P. Ochiltree charged with betting at a gaming bank called faro, on a Bond entered into by them on the 27th day September 1866, conditioned that the said Thos. P. Ochiltree shall appear and answer the Indictment in said cause, to which reference is made, and the said defendants having been duly served by writ of Scire facias to appear and show cause why said judgment nii si should not be made final, which they have wholly failed to do within the time prescribed by law. It is therefore ordered, adjudged and decreed by the Court that the said judgment nii si be made final, and that the State of Texas do have and recover of and from the said defendants Thos. P. Ochiltree, Eli H. Baxter, and Phil Brown the said sum of One hundred dollars, and all costs of this prosecution, and that execution issue therefor.

District Court Minutes, Tuesday Fall Term, Nov. 27 1866

Nov. 20/66

X 2129 The State of Texas vs. Thos P. Ochiltree, Eli H. Baxter & Phil Brown.

Now on this day comes the District Attorney in behalf of the State, and claims judgment final by default against these defendants for the want of an answer, and because it appearing that a forfeiture was entered on the 19th day of December A.D. 1860. against these defendants for the sum of One hundred dollars in cause No. 1324 of the State of Texas vs Thomas P. Ochiltree, charged with betting at a gaming bank called Faro, on a Bond entered into by them on the 27th day of September A.D. 1860. conditioned that the said Thos P. Ochiltree shall appear and answer the Indictment in said cause, to which reference is made, and the said defendants having been duly served by writ of Scire facias to appear and Show cause why said judgment nil si should not be made final, which they have wholly failed to do within the time prescribed by law. It is therefore ordered, adjudged and decreed by the Court, that the said judgment nil si be made final, and that the State of Texas do have and recover of and from the said defendants, Thomas P. Ochiltree, Eli H. Baxter and Phil Brown the said Sum of One Hundred dollars and all costs of this prosecution, and that execution issue therefor.

Nov. 20th 1866.

X 2131 The State of Texas vs Ben Hines, H. Clifton & J. A. Smith

Now on this day comes the District Attorney in behalf of the State, and Claims judgment by default final against these defendants for the want of an answer, and because it appearing that a forfeiture was entered on the 21st day of December A.D. 1860 against these defendants for the sum of One hundred dollars in cause No. 1372, of the State of Texas vs Ben Hines, charged with betting at a certain gaming bank called Monte, on a Bond entered into by them on the 24th day of September 1860. conditioned that the said Ben Hines shall appear and answer the Indictment in said cause, to which reference is made and the said defendants having been duly served by writ of Scire facias to appear and show cause why said judgment nil si should not be made final, which they have wholly failed to do within the time prescribed by law. It is therefore ordered, adjudged and decreed by the Court, that the said judgment nil si be made final, and that the State of Texas do have and recover of and from the said defendants Ben Hines, H. Clifton and J. A. Smith, the said Sum of One hundred dollars and all costs of this prosecution, and that execution issue therefor.

Nov 30/66

X 2556 Wm Tm Cook vs S. Crosby. Commissioner Gen. Land Office

This cause coming on to be heard. The Plaintiff by Attorneys announced himself ready for trial; and the Defendant by the Attorney General appeared and announced himself ready for trial; and thereupon came on to be heard the demurrer of Defendant to Plaintiff's petition, which being considered by the Court, it is ordered that the same be over-ruled; and thereupon came on to be heard the Plaintiff's demurrer to Defendant's answer; which being considered by the

Court it is ordered that the same be overruled, and thereupon the parties in open court waive a jury and agree to submit said cause to the court; and the Court after hearing the allegations of the parties, the evidence in the cause, and the argument of counsel, and duly considering the same, because it appears that the Plaintiff William M. Cook is legally entitled to the patent for the land described in his petition, as follows, Field notes of a survey of 242 acres of land for A. M. Gwaltney on the South West side of Matagorda Bay in the County of Calhoun by virtue of Bly warrant No 990 for 960 acres on which a survey of 179½ acres and a survey of 140½ acres have heretofore been made, with which this survey makes a connection ~

Beginning at the East corner of survey of 476 acres for P. D. Dillon, which is the North Corner of a survey of 140½ acres for A. M. Gwaltney - Thence S 56½° E 255 vs to East corner of sd Survey of 140½ acres - which is the North Corner of a Survey of 320 acres for D. N. White, Thence S 34° E 1350 vs to East Corner of said Survey of 320 acres for D. N. White, which is the North Corner of a survey for A. M. Gwaltney for 179½ acres Thence S 52° E 9530 vs - Thence S 35° E 157 vs, to the mouth of Pender Horn Bayou which is the East corner of sd survey of 179½ acres for A. M. Gwaltney - Thence N 45° E 510 vs to a Post at Edge of Ship Channel - Thence N 35° W 157 vs - N 52 E 9530, N 34 W 1350 vs, N 56½ W 255 vs, a Post at edge of Ship Channel for North corner of This Survey - Thence S 45° W 510 vs to the place of Beginning - containing 242 acres. And because Defendant S. Crosby, commissioner of the General Land office, has failed to shew any legal and sufficient cause for failing to issue said patent to Plaintiff, William M. Cook, it is therefore considered, ordered adjudged and decreed by the Court that the peremptory mandamus be granted as prayed for by the Plaintiff; and that the Defendant Stephen Crosby commissioner of the General Land office, be directed, commanded, and required, to forthwith issue to the Plaintiff, William M. Cook, a patent for the Land herein before described, and deliver the same to Plaintiff upon the payment by him said Plaintiff, of all legal fees of office and dues to the State. It is further considered by the Court that the Plaintiff, William M. Cook, pay all costs of this suit, for which execution may issue as by law authorized by Laws, and thereupon Defendant gave notice in open Court, of appeal to the Supreme Court

Nov. 21st 1866

2107 The State of Texas vs. Antonio Manchaca, J. R. Paschal & Geo. W. Paschal

Now on this day comes the District Attorney in behalf of the State and claims judgment final by default against these Defendants, for the want of an answer, and it appearing that a forfeiture was entered on the 21st day of December A.D. 1860.

against these defendants for the Sum of One hundred dollars in Cause No. 1331 of the State of Texas vs Antonio Manchaca Charged with betting at a gaming bank called faro entered into by them on the 15th day of June 1866 Conditioned that the said Manchaca, shall appear and answer the Indictment in said Cause, to which reference is made, and the said defendants Having been duly served by writ of Scire facias to appear and Show cause why said judgment nisi should not be made final which they have wholly failed to do within the time prescribed by law It is therefore ordered, adjudged and decreed by the Court, that the said judgment nisi be made final, and that the State of Texas do have and recover of and from the said defendants, Antonio Manchaca J. A. Paschal and Geo. W. Paschal the said Sum of One hundred dollar, and all costs of this prosecution, and that execution ifsue therefor

Nov. 20th 1866.

2128 The State of Texas vs. Thos. P. Achilles, Eli H. Baxter & Phil Brown

Now on this day comes the District attorney in behalf of the State, and claims judgment final by default against these defendants, for the want of an answer, and because it appearing that a forfeiture was entered on the 21st December 1866 against these defendants for the Sum of One Hundred dollars in cause No. 1332, of the State of Texas vs. Thomas P. Achilles charged with betting at a gaming bank called faro on a Bond entered into by them on the 27th day of September 1866, Conditioned that the said Thomas P. Achilles shall appear and answer the Indictment in said Cause, to which reference is made, and the said defendants having been duly served by writ of Scire facias, to appear and Show cause why said judgment nisi should not be made final, which they have wholly failed to do within the time prescribed by law. It is therefore ordered, adjudged and decreed by the Court, that the said judgment nisi be made final, and that the State of Texas do have and recover of and from the said defendants Thos. P. Achilles, Eli H. Baxter and Phil Brown the said sum of One hundred dollars and all costs of this prosecution and that execution ifsue therefor.

Nov. 20th 1866

2139 The State of Texas vs Irving Ross, B. Dillingham and Jas. R. Pace

Now on this day comes the District Attorney in behalf of the State and claims judgment final by default against these defendants for the want of an answer, and because it appearing that a forfeiture was entered on the 19th day of December 1866 against these defendants for the sum of One hundred dollars in Cause No. 1348, of the State of Texas vs Irving Ross Charged with betting at a Certain gaming Game called faro on a Bond entered into by them on the 15th day of June 1866 Conditioned that the said Irving Ross shall appear and answer the Indictment in said Cause, to which reference is made and the said defendants having been duly served by writ of Scire facias to appear and Show cause why said judgment nisi should not be made final, which they have wholly failed

to do within the time prescribed by law. It is therefore ordered adjudged and decreed by the Court, that the said judgment nisi be made final, and that the State of Texas do have and recover of and from the said defendants, Irving Cox, B. Dillingham and James L. Pace, the said sum of One hundred dollars, and all costs of this prosecution, and that execution ijsue therefor.

November 24th 1866

12141 The State of Texas vs Irving Cox, B. Dillingham & James L. Pace

Now on this day comes the District Attorney, in behalf of the State and claims judgment final by default against these defendants for the want of an answer, and because it appearing that a forfeiture was entered on the 21st day of December 1861, against these defendants for the sum of One Hundred dollars in cause No. 1347, of the State of Texas vs. Irving Cox, charged with betting at a gaming bank called faro, on a Bond entered into by them on the 8th day of June 1860. Conditioned that the said Irving Cox shall appear and answer the Indictment in said cause, to which reference, and the said defendants having been duly served by writ of Scire facias, to appear and show cause why said judgment nisi should not be made final, which they have wholly failed to do within the time prescribed by law. It is therefore ordered, adjudged and decreed by the Court, that the said judgment nisi be made final, and that the State of Texas do have and recover of and from the said defendants, Irving Cox, B. Dillingham and James L. Pace the said sum of One Hundred dollars and all costs of this prosecution, and that execution ijsue therefor.

Whereupon Court adjourned till tomorrow morning 9 o'clock

Wednesday Nov. 28th 1866, Court met at 9 o'clock A.M. pursuant to adjournment, whereupon the following proceedings were had, to wit

2207 John F. Harmon vs William Fowler

It is ordered by the Court that this cause be dismissed for want of prosecution and it is further ordered that the defendant Wm. Fowler do have and recover of the Plff all costs in this behalf expended, for which execution may ijsue.

2209 A. H. Cook v. Wm. Wright & J. M. Dickson — Continued.

2429 G. T. Chandler v. T. A. Johnson & F. Chandler — Plff has leave to amend

2484 S. M. Swinson vs. W. D. Thompson — Continued to make parties.

2505 Goldfrank, Frank & Co. v. R. A. Rutherford, Dfs. has leave to answer

1484 ~~The State of Texas vs William Thompson~~
~~This cause being called for~~

1770 The State of Texas v. A. G. Buddington

Now on this day come the parties to this suit, the District Attorney in behalf of the State and the defendants in person and by attorney, and the motion to quash the Indictment

coming on to be heard, the same was by the Court overruled, after which the parties announced ready for trial, whereupon came a Jury of good and lawful men of Travis County, to wit J. F. Cleveland and eleven others, duly elected, empannelled and sworn, who after hearing the Indictment read, the evidence adduced, argument of Counsel and charge of the Court retired to consider of their verdict, and after due deliberation returned into Court the following verdict to wit." District Court Room, Nov 28th 66. We of the Jury find the defendant guilty and assess the fine at fifty dollars. J. F. Cleveland, foreman"

It is therefore ordered, adjudged and decreed by the Court, that the State of Texas do have and recover of and from the defendant A. G. Buddington the sum of fifty dollars, and all costs of this suit. And it is further ordered that said defendant A. G. Buddington stand committed to the County Jail until said fine and costs are paid.

V

× 1771 The State of Texas V. A. G. Buddington

Now on this day come the parties to this cause, the District Attorney in behalf of the State, and the defendant in person and by attorney, who pleads not guilty, thereupon the parties announced ready for trial, whereupon came a jury of good and lawful men of Travis County, to wit: D. P. Kinney and eleven others duly elected, empannelled and sworn, who, after hearing the Indictment read, the evidence adduced argument of Counsel and charge of the Court, retired to consider of their verdict, and after due deliberation returned into Court the following verdict to wit: "We the Jury find the defendant guilty and assess the fine at Seventy five dollars, D. P. Kinney, foreman." It is therefore considered by the Court that the State of Texas do have and recover of said defendant A. G. Buddington the sum of Seventy five dollars, and all costs in this behalf expended, and it is further ordered that said defendant stand committed to the County jail until said fine and costs are paid.

V

+ 1772 The State of Texas vs. A. G. Buddington

Now on this day come the parties, the District Attorney in behalf of the State, and the defendant in person and by attorney, who pleads guilty, whereupon came a jury of good and lawful men of Travis County, to wit: C. C. Kirk and eleven others, duly elected empannelled and sworn, who ~~after~~ brought into Court the following verdict, to wit. "Petty Jury Room Nov. 30th 1866. We the jury assess the fine of the defendant at $50.00. C. C. Kirk, foreman." It is therefore considered by the Court that the State of Texas do have and recover of said defendant A. G. Buddington the sum of fifty dollars and costs— and it is further ordered that said defendant stand committed to the County jail until said fine and costs are paid

District Court Minutes, Friday Fall Term, Nov 31 1866

Whereupon Court adjourned till Friday morning 9 o'clock

Friday November 31st 1866. Court met at 9 o'clock A. M. pursuant to adjournment, whereupon the following proceedings were had, to wit:

1773 The State of Texas vs. Krohn & Baker

Now on this day Comes the District attorney in behalf of the State and the defendant Krohn in person and announced ready for trial & the defs. plead not guilty, whereupon came a Jury of good and lawful men of Travis County, to wit: J. F. Cleveland and eleven others, duly elected empannelled and sworn, who after hearing the Indictment read, the evidence, and charge of the Court retired to consider of their verdict, and after due deliberation, returned into Court the following verdict, to wit. "Petit Jury Room, Nov. 31/66. We of the Jury find the defendant Krohn guilty & assess the fine at fifty dollars - J. F. Cleveland, foreman." It is therefore considered by the Court that the State of Texas do have and recover of the said defendant — Krohn the sum of fifty dollars and all costs, and it is further Ordered that the said defendant Krohn stand committed to the County Jail until said fine and costs are paid. and this case stands continued as to Baker

1774 The State of Texas vs. Baker & Krohn

Now on this day came the parties, the District Attorney in behalf of the State, and the defendant Krohn, who pleads guilty - whereupon came a jury of good and lawful men of Travis County, to wit: W. D. Scott, and eleven others, duly elected empannelled and sworn, who brought into Court the following verdict to wit: "Nov. 31st 1866. We the Jury find & assess the fine against Defs. Krohn at fifty dollars ($50.00) W. D. Scott - Foreman" - It is therefore considered by the Court that the State of Texas do have and recover of the said defendant Krohn the sum of fifty dollars and all costs in this behalf expended - and it is further ordered that said defendant Krohn stand committed to the County Jail until said fine and costs are paid - and Cause Continued as to Baker.

1775 The State of Texas vs. Baker & Krohn

Now on this day comes the District Attorney and enters a Nolle prosequi as to the defendant Krohn in this cause

It is therefore considered by the Court that the State of Texas take nothing by her suit as to the defendant Krohn, and that he go hence without day fully discharged from said Indictment and Cause Continued as to the defendant Baker.

1776 The State of Texas v. Joseph Lucksinger

Now on this day come the parties to this suit, the District Attorney in behalf of the State and the defendant by his attorney and announced ready for trial, whereupon the defendant by his attorney pleads guilty - then came a jury of good and

lawful men of Travis County, to wit. Geo. W. Glasscock, and eleven others, duly elected, empannelled and sworn, who brought into Court the following verdict to wit. "We the Jury ajs the fine of Deft. at $50. Geo. W. Glasscock, Foreman."

It is therefore considered by the Court, that the State of Texas do have and recover of the said Defendant Joseph Lucksinger the sum of fifty dollars and all costs of this prosecution. and that the said defendant Joseph Lucksinger stand committed to the County jail until said fine and costs are paid.

1777 The State of Texas vs. Joseph Lucksinger

Now on this day come the Parties to this suit, the District Attorney in behalf of State and the Defendant by his att and announced ready for trial, whereupon the Defendant by his Attorney pleads guilty, then came a jury of good and lawful men, to wit: Geo. W. Glasscock and eleven others, duly elected empannelled and sworn, who brought into Court the following verdict, to wit: "We the Jury ajss the fine against the Defendant as $50. Geo. W. Glasscock, foreman." It is therefore considered by the Court that the State of Texas do have and recover of the said Joseph Lucksinger the sum of fifty dollars and all costs of this suit. and it is further ordered that the said Defendant Joseph Lucksinger stand Committed to the County Jail until said fine and costs are paid.

1778 The State of Texas vs. Joseph Lucksinger

Now on this day came the parties to this suit, the District Attorney in behalf of the State, and the Defendant by his attorney and announced ready for trial, whereupon the defendant by his Attorney pleads guilty, then came a jury to wit Geo. W. Glascock and eleven others, duly elected, empannelled and sworn, who brought into Court the following verdict to wit: "We the Jury assess the fine against the defendant as $50. Geo. W. Glasscock, foreman" It is therefore considered by the Court, that the State of Texas do have and recover of the said Defendant Joseph Lucksinger, the sum of fifty dollars, and costs And it is further ordered that said defendant Joseph Lucksinger stand committed to the County jail until said fine and costs are paid

1779 The State of Texas v. Joseph Lucksinger

Now on this day came the parties, the District Attorney in behalf of the State, and the Defendant by his attorney and the Defendant By Attorny pleads guilty, whereupon came a jury to wit. Geo. W. Glasscock and eleven others, duly elected empannelled and sworn, who brought into Court the following verdict, to wit. "We, the jury assess the fine against the defendant at $50. Geo. W. Glascock foreman"

It is therefore Considered by the Court, that the State of Texas do have and recover of the said Defendant, Joseph Lucksinger, the sum of fifty dollars and costs of this suit

District Court Minutes, Friday Fall Term, Nov 30th 1866

And it is further ordered by the Court that the said defendant Joseph Lucksinger stand committed to the County jail until said fine and costs are paid

1780 The State of Texas vs. Joseph Lucksinger
1781 Same vs. Same
1783 Same vs. Klein
1792 Same vs. Banke
1791 Same vs. Same
1797 Same vs. Tony Davis
1798 Same vs Hall & Odum
1590 Same vs. J. W. Bonner, Thos. Bonner, John Goode, Bm. Thompson Dr. Reed, & S. G. Sneed Sr.

Now on this day comes the District Attorney and enters a Nolle Prosequi in the above eight cause. It is therefore ordered adjudged and decreed by the Court that the defendants in the above eight cases go hence without day fully discharged from said Indictments-

Whereupon Court adjourned till tomorrow morning 9 o'clock

Saturday Dec 1st 1866. Court met at 9 O'Clock pursuant to adjournment, whereupon the following proceedings were had, to wit.

1769 The State of Texas vs. A. G. Buddington

Now on this day come the parties, the District Attorney in behalf of the State, and the defendant by his Attorney and announced themselves ready for trial, the defendant by his Attorney pleading not guilty. Whereupon came a Jury to wit. Geo. W. Glasscock and eleven others, duly elected, empannelled and sworn, who after hearing the Indictment read, the evidence, argument of Counsel and Charge of the Court, retired to consider of their verdict, and said Jury failing to agree, It is ordered by the Court that a mistrial be awarded in said cause and that said cause be continued

1782 The State of Texas vs. Boom Sawyer
1793 Same vs. W. P. Rutledge
1794 Same vs. Same

It is ordered that the above three cause be Continued for service and bail fixed at $100 each.

1800 The State of Texas vs. Catarina Luci Reas - Continued for service and bail fixed at $1000.
1801 Same vs. Albert (Fred) Continued for service and bail at $1000.
1802 Same vs Billy Thompson, Continued for service and bail fixed at $500.
1803 Same vs Same, Continued for service and bail fixed at $500.
1806 Same vs. Klein - Continued on affidavit of defendant.

1799 The State of Texas vs. George Pelham, (freedman)

It is ordered by the Court that Joseph Lucksinger, a witness for the State, be fined $25. for failing to appear and testify in the above

cause, and it is further ordered that Scire facias do ipsue to him returnable to the next term of this Court, commanding him then and there to appear and show cause if any he can why said Judgment should not be made final against him as aforesaid and all costs awarded for said Witness Luecksinger.

1784 The State of Texas vs Klein, - Continued on affidavit of defendants
1785 Same vs Same - Continued on affidavits of defendants.
1786 Same vs. Branch et al, Continued for service and bail fixed at $500 each
1787 Same vs. John Conner - Continued for service and bail fixed at $200.
1788 Same vs. Same - Continued for service and bail at $500.

2417 John W. Lawrence et al vs. Anne M. Smith et al

In District Court Fall term, November 30th 1866

This day came the Plaintiffs in the above styled cause by their Attorneys and asked that the writ of Inquiry heretofore granted in said cause, be executed. Thereupon came a jury of twelve good and lawful men of Travis County, to wit: J. T. Cleveland and eleven others, who being duly empannelled and sworn, having heard the petition read. the following evidence was submitted to them, to wit: Joseph Lee being sworn testified that three hundred dollars was a reasonable charge for locating, & surveying, the Certificates set forth in plaintiffs petition, and obtaining Patents and paying fees thereon. Charles L. Robards being duly sworn, testified that R. T. Browning, was killed during the late war, in the year 1863, that he had charge of his books and papers which show that he has had correspondence with some of the defendants, and that he had located the certificate, and obtained the Patents, set out in plaintiffs petition and had charged for services the sum of three hundred dollars and the patents set out in plaintiffs petition being read in evidence. and the jury having charges by the Court, retired to consider their verdict, and returned into Court the following verdict to wit. "Petit Jury Room Nov. 30. 1866, We of the Jury find for Plaintiffs $300. J. T. Cleveland foreman." It is therefore ordered, adjudged and decreed that the plaintiffs John W. Lawrence and M. O. Browning, administrators of the estate of Richard T. Browning, do have and recover of and from the defendants Anne M. Smith, Robert M. Garvin and the unknown heirs of John E. Garvin deceased the sum of Three hundred dollars, with interest thereon at the rate of 8 per cent per annum, together with all costs in this behalf expended, and that execution issue therefor in due form of law.

1699 The State of Texas vs Simpson Murray (freedman)

The motion for a new trial filed in this cause, coming on to be heard, and the same being argued by the counsel thereof by the Court overruled.

1804 The State of Texas vs. George Good (freedman)

This cause being regularly called, and the parties appearing, the District Attorney in behalf of the State, and the defendant in person and W. H. Bowers, the Counsel appointed him the Court

and the exceptions of the defendants to the Indictments, and his motion to quash the same, coming on to be heard, and after arguments of Counsel, and the Court being advised thereon, It is Ordered and adjudged by the Court that said exceptions to the Indictment, and a motion to quash the same, be and the same are hereby overruled, to which ruling the defendant excepts. And thereupon came a jury, to wit: John F. Cleveland and eleven others good and lawful men, duly empannelled and sworn, who after hearing the testimony, arguments of Counsel and Charge of the Court returned into Court this verdict as follows". "Pitt Jury Room Dec 1866. We the Jury find the defendant guilty. J. F. Cleveland, foreman." And the motion of Defendant in arrest of Judgment having been presented to the Court, after argument of Counsel, It is ordered by the Court that said motion in arrest of judgment be and the same is hereby overruled.

And the Defendant, in open Court having been asked whether he has anything to say why judgment should not be rendered and Sentence pronounced against him, answers nothing further. It is therefore Considered by the Court, that said Defendant George Goel be confined in the Penitentiary for a term of two years from the date of rendition of the Verdict Herein, December 1st 1866. And Defendant thereupon demanded an appeal to the Supreme Court, and in open Court gave notice of said appeal which is allowed and the Clerk ordered to attach to the transcript the original Indictment in said cause.

1528 The State of Texas vs. John Rapp & Ben Thompson

In District Court Fall Term, November 21st 1865

This cause being called for trial, the defendant John Rapp failing to appear and answer to the Indictment in this cause he and his Sureties L. D. Carrington, Ed. Christian, A. H. Millican and S. G. Sneed being distinctly called at the door of the Court House of Travis County, and the defendant, after a reasonable length of time still failed to appear, and it appearing to the Court that the defendant John Rapp with the said L. D. Carrington, Ed. Christian, A. H. Millican and S. G. Sneed as his Sureties did enter into Recognizance in open Court on the 13th day of December 1864, acknowledging themselves to owe and be indebted unto the State of Texas in the sum of Ten Thousand dollars, Conditioned that the said defendant John Rapp make his personal appearance at the District Court of said County of Travis on the tenth Monday after the first Monday in March 1865 to answer the Indictment preferred against the said defendant John Rapp & Ben Thompson by the Grand Jurors of Travis County at the Fall Term 1864 for murder and there remain from day to day and from term to term of said Court, and that he do not depart the Court without leave - Which said Recognizance is forfeited and it is Considered by the Court that the State of Texas do have and recover of the said John Rapp the said sum of Ten Thousand dollars, and of his said securities the sum of Ten Thousand dollars, and that this judgment will be made final unless good cause be shown at the next term of this Court why the said defendant Rapp

did not appear. And further ordered that citation do issue to the said securities, and cause continued as to Respt

1662 The State of Texas vs Moses Swishes (freedman)

Now on this day come the parties, the District Attorney in behalf of the State and the defendant in person and by attorney and announced ready for trial, and the defendant pleaded not guilty. Whereupon came a Jury to wit: D. P Kinney and eleven others, good and lawful men, duly elected impannelled and sworn who after hearing the Indictment read, the evidence adduced, argument of Counsel and Charge of the Court, retired to consider of their verdict, and after due deliberation brought into Court the following verdict, to wit "Jury Room, Dec 1st 1866, We the Jury find the defendant not guilty. D. P Kinney, foreman" It is therefore ordered adjudged and decreed by the Court that the said defendant Moses Swishes go hence within day fully discharged from said Indictment.

1666 The State of Texas vs. Thomas Swishes (freedman) et al

And now on this day comes the defendant into Open Court in Charge of the Sheriff of Travis County, and also come the District Attorney who prosecutes for the State, and it appearing to the Court that the said defendant Thomas Swishes, had on a prior day of the present term of the Court, been found guilty by the jury trying the case of the Offence Charged in the indictment, and that said Jury had assessed the penalty at two years' Confinement in the Penitentiary - and the said defendant Thomas Swishes being asked if he had anything to say why judgment should not be rendered, and sentence pronounced against him in accordance with said verdict, and the said defendant offering no sufficient reason why sentence should not be pronounced against him. It is therefore ordered and decreed by the Court, that the defendant Thomas Swishes be Confined in the State Penitentiary at Hard Labor for the term of two years, the time assessed by the jury in their verdict aforesaid And it is further ordered adjudged and decreed by the Court that the said Thomas Swishes be taken by the Sheriff of Travis County and safely kept, Conveyed and delivered to the authorities of the State Penitentiary at Huntsville Walker County Texas, there to be confined at hard labor in the Penitentiary for two years according to the judgment of the Court in this cause. And it is further ordered that the State of Texas recover all costs against said defendant Thomas Swishes. Dep in open Court withdraws his notice of an appeal

1666 The State of Texas vs Alexander Swishes (freedman) et al

And now on this day comes the defendant Alexander Swishes into open Court in charge of the Sheriff of Travis County, and also come the District Attorney who prosecutes for the State, and it appearing to the Court, that the said defendant Alexander Swishes, had on a prior day of the present term of the Court, been found guilty by the jury trying

District Court Minutes, Saturday Fall Term, Dec 1st 1866

the case of the offence charged in the indictment, and that said jury had
ofsed the penalty of two years Confinement in the Penitentiary. And the said
defendant Alexander Swisher being asked if he had anything to say why judg-
ment should not be rendered and sentence pronounced against him, in
accordance with said verdict and the said defendant offering no sufficient
reason why sentence should not be pronounced against him.

It is therefore ordered, adjudged and decreed by the Court, that the defendant Alex-
ander Swisher, be confined in the State Penitentiary at hard labor, for the term
of two years, the time ofsed by the jury in their verdict aforesaid. And it is
further ordered, adjudged and decreed by the Court, that the said defendant
be taken by the Sheriff of Travis County, and safely kept, conveyed and delivered
to the authorities of the State Penitentiary at Huntsville, Walker County
Texas, there to be confined at hard labor in the Penitentiary for the term of
two years, according to the judgment of the Court in this cause. and it is further
ordered that the State of Texas recover all costs in this behalf, against the defendant. Def
in open Court enthegraves by notice of an appeal.

X 1768 The State of Texas vs. Madison Banks (freedman)

And now on this day came the defendant into open Court
and also came the District attorney who prosecutes for the State and
it appearing to the Court that the said defendant Madison Banks had on
a prior day of the present term of the Court, been found guilty, by the
jury trying the case, of the offence charged in the indictment, and
that said jury had ofsed the penalty of Confinement in the Peniten-
tiary, and the said defendant Madison Banks being asked if he
had anything to say why judgment should not be rendered and
sentence pronounced against him in accordance with said verdict,
and the said defendant offering no reason why sentence should not
be pronounced against him. It is therefore ordered, adjudged
and decreed by the Court, that the defendant Madison Banks be
confined in the State Penitentiary, at hard labor for the term of
five years, the time assessed by the jury in their verdict aforesaid.
And it is further ordered, adjudged and decreed by the Court, that
the said Madison Banks be taken by the Sheriff of Travis
County, and safely Kept, convey and deliver to the authorities
of the State Penitentiary at Huntsville, Walker County Texas, there
to be confined at hard labor in the Penitentiary for five years
according to the judgment of the Court in this case. And
it is further ordered that the defendant pay all costs in this behalf.
Whereupon the defendant by his attorney, gave notice in open
Court, of an appeal to the Supreme Court of the State.

X 1804 The State of Texas vs. George Goode (freedman)

And now on this day came the defendant George Goode
into open Court, in charge of the Sheriff, and also came
the District Attorney who prosecutes for the State, and it appear-
ing to the Court that the said defendant George Goode had on
a prior day of the present term of the Court, been found guilty
by the jury trying the case, of the offence charged in the
indictment, and that said jury had assessed the penalty
of Confinement in the Penitentiary, and the said defendant
George Goode, being asked if he had anything to say why
judgment should not be rendered and sentence pronounced

against him in accordance with said verdict and the said defendant offering no sufficient reason why sentence should not be pronounced against him. It is therefore ordered, adjudged and decreed by the Court that the defendant George Ford be confined in the State Penitentiary at hard labor for the term of two years, the time aspixed by the Jury in their verdict aforesaid.

And it is further ordered, adjudged and decreed by the Court that the said George Ford be taken by the Sheriff of Travis County and safely kept, conveyed and delivered to the authorities of the State Penitentiary at Huntsville, Walker County Texas there to be confined at hard labor in the Penitentiary for two years according to the judgment of the Court in this case. And it is further ordered that the defendant pay all costs in this behalf.

Whereupon the defendants counsel gave notice in open Court of an appeal to the Supreme Court of the State.

1610 The State of Texas vs. Lem Risher (freedman)

And now this day came the defendant Lem Risher into open Court in charge of the Sheriff, and also came the District Attorney who prosecutes for the State, and it appearing to the Court that the said defendant Lem Risher, had at a previous term of this Court been found guilty by the Jury trying the case, of the offence charged in the indictment, and that said Jury had aspixed the penalty at Confinement in the Penitentiary, and the said defendant Lem Risher being asked if he had anything to say why judgment should not be rendered and sentence pronounced against him in accordance with said verdict, and the said defendant offering no sufficient reason why sentence should not be pronounced against him. It is ordered adjudged and decreed by the Court that the defendant Lem Risher be confined in the Penitentiary at hard labor for the term of two years, the time aspixed by the Jury in their verdict aforesaid. And it is further ordered, adjudged and decreed by the Court that the defendant Lem Risher be taken by the Sheriff of Travis County, and safely kept, convey and delivered to the authorities of the State Penitentiary at Huntsville, Walker County Texas there to be Confined at hard labor in the Penitentiary for two years according to the judgment of the Court in this case. And it is further ordered that the defendant pay all costs in this behalf.

1699 The State of Texas vs. Dampson Murray, (freedman)

In this cause it is ordered, adjudged and decreed by the Court that the judgment and verdict rendered at a former day of this term, be and the same are hereby set aside, and that a new trial be granted and bail fixed at $200.

1753 The State of Texas vs. A.G. Buddington

Came on this day appeared in open Court, A.G. Buddington as principal and J. Lesner and E. W. Collins as his sureties and acknowledged themselves to owe and be

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indebted unto the State of Texas in the sum of fifteen hundred each, to be levied upon their respective goods and chattels, lands and tenements, but to be void nevertheless upon condition that the said defendant N.G. Buddington shall answer to any indictment that may be preferred against him by the Grand Jurors of the next Term of this Court for swindeling, and trading off an ox under pretex that it was his own, when it belonged to some one else, without permission of the owner, and that he remain from day to day and from term to term thereafter, and that he do not depart the Court without.

1760 The State of Texas vs Meshac, (freeman)

In this cause, the continuance entered at a former day of this term is set aside, and the motion to quash the indictment coming on to be heard, it being considered by the Court, the same is sustained, ~~Whereupon, came the defendant, Meshac as principal &c.~~ It is therefore ordered and adjudged that said indictment be quashed, and that the State take nothing by its suit. Whereupon the State by the District Attorney gave notice of an appeal. Whereupon came the defendant, Meshac, as principal and J. Jno Hancock, E. W. Chandler, W. H. D. Carrington B. H. Davis, W. M. Walton, and N. G. Shelley as his sureties acknowledged themselves to owe and be indebted unto the State of Texas in the sum of fifty dollars each, to be levied upon their respective goods and chattels, lands and tenements, but to be void nevertheless upon condition that the said defendant Meshac shall make his personal appearance at the next term of the District Court of Travis County, and there remain from day to day and from term to term of said Court, to abide the judgment of the Supreme Court, on an appeal in the case wherein the State of Texas is plaintiff and said Meshac is defendant, wherein he is charged with taking up and using an estray horse without complying with the law regulating estrays.

1795 The State of Texas vs. Red Liz (freedwoman)

And on this day came the parties to this cause the District Attorney in behalf of the State and the defendant in person and by Attorney, and announced themselves ready for trial- and the defendant pleads not guilty. Whereupon came a jury to wit. J. F. Cleveland and eleven others duly empannelled and sworn, who after hearing the pleadings read, evidence adduced and charge of the Court, retired to consider their verdict- and returned into Court the following to wit. " We of the jury acquit the defendant of theft and find her guilty of embezzlement. J. F. Cleveland, foreman." Then came on the motion to be heard, in arrest of judgment which motion after being duly considered, by the Court is sustained and it is ordered that the State take nothing by its suit, and that the defendant go hence without day.

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1585 The State of Texas vs. E. Payton et als. – Continued by the State.

1645 The State of Texas v. Carr.
It is ordered by the Court that E. Wynn be fined fifty dollars for refusing to testify in the above cause, and that he stand Committed to County jail until the fine and costs are paid.

1770 The State of Texas vs. A. G. Buddington
In this cause Come on to be heard the motion for a new trial, and being duly considered by the Court, the same is overruled. Whereupon deft. gave notice of an appeal in open Court. It is ordered that the Clerk embody in the transcript the original indictment in this cause, retaining a copy. Whereupon came the defendans A. G. Buddington as principal and A. H. Longley and J. L. Haynes as his Securities and acknowledged themselves to owe and be indebted unto the State of Texas in the Sum of one hundred dollars each, to be levied upon their respective goods and chattels Lands and tenements, but to be void nevertheless upon condition that the said defendant, A. G. Buddington shall appear at the next term of the District Court of said County of Travis, and there remain from day to day and from term to term of said Court to abide the judgment of the Supreme Court on appeal wherein the said Buddington has been convicted in the District Court on an indictment for butchering beef for market in the town of Austin and failing to return a list of the marks and brands and from whom purchased, of the beef so slaughtered to the County Clerk of Travis County, and that he do not depart the Court without leave.

2211 Thos P Rudding vs D H Coleman
2218 M J Johnson & A Buchanan adv. W Jones
2220 W Jones vs D E Watkins. In the above cause 2211 Continued under rule for costs and parties notified in open court. In 2218 Def'ff's atty's Johnson & Rott suggested and Court Costs In 2220 Pl'ff has leave to amend and cause is Continued.

2223 Mitchell & Spivy vs J L Coleman Cost's. for service.

2224 W W & J J Brown vs J H Jones et al
This cause is dismissed at plaintiffs costs and it is ordered that plaintiffs pay all costs in this behalf expended for which Execution may issue

2228 A Jen Eyck & Henry & Hamilton. Pl'ff's atty suggested & leave to amend parties & Caption –

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2229 A B McGee vs Hay & Hamilton. This cause is continued by plaintiff

2234 W Rust vs C R Johnson Compt. Continued

2243 The State vs D M Lowshe et al, Continued for service

2244 A Moore vs Jas Brown, & this cause coming on to be heard and the plaintiff announced himself ready for trial and it appearing that the respondent has been duly cited and not appearing but making default. It is ordered and decreed by the court that the plaintiff have Judgment nisi by default against said plaintiff and that the cause stand continued

2248 Wm Oliphant vs. W G Johnson et al - Continued
2251 The State of Texas vs R. M. Johnson - Continued for service
2252 Same vs T. F. Bacon - Continued for service
2253 Aaron Baley vs. Mark Grigsby - Continued
2265 Caroline Freeman vs Josiah Fisk - Continued
2267 Wm Rust vs Willis Fawcett - Continued
2273 J. J. Myers vs Geo. A. White, J. L. Driskell & Wm Day - Continued
2278 State of Texas vs Robert Smith - Continued
2283 Same vs J. G. Harrell - Continued

2266 W W McLaughlin vs C. V. Eggle & W B. Hawkins
It is ordered that this cause be dismissed each party paying his own costs. It is therefore considered by the Court that the Plff recover of the Defts. his costs in this behalf. And it is further ordered that the Defts recover of the Plff his costs in this behalf, and that execution issue against both parties for their respective costs

2268 N. J. Slayton vs James Pugh - It is ordered that this cause be dismissed for want of Compliance with rule for costs. It is therefore ordered that the defts Pugh recover of the Plff Slayton all costs in this behalf expended for which execution may issue.

Whereupon Court adjourned till Monday morning 9 o'clock

Monday December 3rd 1866. Court met as 9 o'clock a.m. pursuant to adjournment, whereupon the following proceedings were had, to wit.

2293 State of Texas vs J Miner - Continued
2295 Same vs F. P. Sawyer Continued
2298 Blackwell & Ricks vs. S. H. Read & Co. Continued
2300 J. Harrell vs. R. J. Townsend - Continued
2301 Amelia Brichta vs. Jno. J. Beck, Williams Garnishee - Continued

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2303 F. E. Smith admr vs Jr Hughes et al- Continued to perfect service.

2322 Sarah Johnson vs T. N. Nolen - Continued

2327 John L. Spence vs J. J. Buck & wife- It is ordered that cause be dismissed This cause is dismissed by Plff at his costs. It is therefore considered by the Court, that the defendants recover of the Plff J. L. Spence, all the costs in this behalf expended for which execution may issue.

2333 J. T. Allan vs Geo. Flournoy & A. W. Cook,- Continued for service.

2309 W. H. Westfall vs Geo. Flournoy et al- Continued

2334. A. Bahn. Plff. vs Geo Flournoy. Martha J. Davis Defts

In District Court Fall Term A.D. 1866

And now at this day comes the Plaintiff in the above cause and it appearing to the Court the Deft George Flournoy being duly served appears by his Attorney and withdraws his answer in said cause, and it appears that the Deft Martha J. Davis being duly and legally served is wholly made default and the case coming on to be tried, and it appearing to the Court that the Plaintiffs cause of action is liquidated and evidenced by an instrument in writing, it is ordered by the Court that the said Plaintiff do have and recover of and from the Defts Flournoy and Davis the sum of three hundred and twenty one dollars with ten per cent interest from this date together with all costs of the suit for which execution may issue in accordance with law.

This judgment is finally Satisfied this day and this Entry is made under direction of Plff. attorney of 3rd March, 1875. Thi. 22 A. W. Jackson

2247. F. F. Duffeau Plff. vs A. J. Hamilton Deft

Dec 3rd 1866.

This day comes the parties by their attorneys in the above named cause, and on motion of the attorneys of Plaintiff, the attachment in said cause is dismissed, it is therefore considerd by the Court that the Plaintiff pay the costs of suing out said writ of attachment, on motion, the other exceptions of Defts to Plffs Petitions are overuled. Thereupon the said parties waived a Jury and Submitted the cause to the Court. The Defendant admitted the execution and delivery of the note sued on as alledged, and the loss of the same as alledged, and it appearing to the Court that there are four hundred and thirty six Dollars and ninty nine cents due on the note sued on, and that Plaintiff is entitled to a Judgement for that amount. It is therefore considered by the Court that the Plaintiff F. F. Duffeau do have and recover of the Defendant A. J. Hamilton four hundred and thirty six Dollars and ninty nine Cents with interest thereon at the rate of ten per cent per annum from the date thereof, together with all costs in this behalf expended and that he have execution thereupon.

2248 C. S. West & R. J. Townes Dcd vs A. J. Hamilton Plff Deft

December 3rd 1866.

This day come the parties by their Attorneys in the above named cause, and on motion of Plaintiffs Attorney, the attachment in said cause is dismissed it is therefore considerd by the Court that the Plaintiff pay costs for suing out said writs of attachment, on motion of Plaintiff, the exceptions of Defendant to Plaintiffs Petition were overuled, Thereupon

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the parties waived a Jury and submitted the cause to the Court. It was admitted by the Defendant that the Due Bill sued on was made and delivrd as alleged in Petitions of Plaintiff and that the facts in reference to the loss of the Due Bill were true as alleged, and it appearing to the Court that there are due on said Due Bill ($850.52/100) Eight that the Plaintiff is entitled to a judgement for the same. It is therfore considerd by the Court that Plaintiff C. J. West Executn of the last will and testament of R. I. Townes have and recover of the Defendant A. J Hamilton Eight hundred and fifty Dollars and fifty two cents, with interest thereon at the rate of ten per Cent per annum from the date hereof, together with his costs in this behalf expended and that he have execution therefor.

No 2339.

J. F. Johnson et al. &c &c vs H. H. Cook et al.

In District Court Fall term for Travis County Dec 4th 1866.

This day came the parties in the above numbered and styled cause by their attorneys and announced themselves ready for trial, whereupon the demurer of Defendants to Plaintiffs Petition was sustained by the Court and leave given Plaintiff to ammend their petition. Whereupon the demurer of Plaintiffs to the demurer of Defendants was sustained. Thereupon came a Jury of twelve good and lawful men of Travis County, to wit C C. Kirk and eleven others who being duly empannelled tried and sworn well and truly to try the issues between the Plffs and Defendants after having heard the pleadings made and the evidence introduced retired to consider their verdict whereupon they returned into court the following verdict to wit Petit Jury Room Dec 4 /66 We the Jury find for the Plaintiffs the original ammount of the note ~~Five~~ hundred and ~~Sixty~~ two Dollars and fifty cents. ~~6/6~~ Interest to date 4/30.100 C. C. Kirk Foreman — It is therfore ordered adjudged and decreed that the Plaintiffs James F. Johnson and John M. Swisher Executors of the last will and testament of Bird Holland Deceased do have and recover of and from Defendants Abner H. Cook and Joseph Harrill the sum of Nine hundred and ninty two Dollars and fifty cents with interest thereon at twelve per cent per Annum, together with all costs in this behalf expended and that they have their execution thereupon in due form of law.

Filed 4th Dec 1866 J. P. Cook Dist Clk
Issued out of the D. C. this 4th day of March A.D. 1867
To Travis Sheriff
Returned into Court this 4th day of March A.D. 1867

M. W. Townsend vs P. C. Raymond

And now on this day comes the Plaintiff in the above entitled cause by Attorney and the Defendant come not but wholly made default, and it appearing to the Court that said Defendant has been duly cited according to law to appear and answer the petition of the Plaintiff and has failed to appear and plead or answer the Petition of said Plaintiff, and it further appearing to the Court that this suit is on an account. It is therefore ordered by the Court that the Plff have Judgement by default against the defendant and that a writ of inquiry be awarded

District Court Minutes, Monday Fall Term, Dec 3d 1866

said Plaintiff to ascertain the amount due from said defendant to Plaintiff and that said Plaintiff recover of from said defendant all the costs of this suit expended for which execution shall issue

J. D. McGary
Vs.
John A. Black.

On this day came the partis by their attorney in the above entitled Cause and the Defendant by his attorney withdrew his answer filed in said cause, and said nothing why Judgement should not be rendered against him. Whereupon the Plaintiff by his authority submitted to the Court a promissory note bearing interest at the rate of twelve per cent from date, from which it appears to the Satisfaction of the Court that the amount due on said note is Nine hundred and fifty three Dollars and sixty five cents it is therefore ordered adjudged and decreed by the Court that Plff James D. McGary do have and recover from the Defendant John a Black the Sum of Nine hundred and fifty three Dollars and sixty five cents with interest thereon at the rate of twelve per cent from the date hereof together with all costs in this behalf expended and for which execution may issue.

R. M. Castleman
Vs.
J. A. Black & Amos Morill

Plff
Dfts

In District Court for Travis County Texas.

Now on this day the above entitled Cause was called for trial and thereupon R. M. Castleman the Plaintiff and Amos Morill one of the Defts announced themselves ready for trial and the Deft John A. Black being duly served with process making him party Deft, having wholly failed to demur, answer, or plead and thereupon the said cause was submitted to a Jury of twelve men to wit, I. T. Cleveland foreman an eleven others who after hearing the pleadings read and and the testimony, argument of Counsel and charge of the Court retired to consider of their verdict and returned into Court the following verdict to wit. "Petit Jury Room Dec 3d 1866. We of the Jury find for the Plaintiff. Principal $170.00. Interest $103.91 and that Amos Morill is security for the amount. I. T. Cleveland foreman. It is therefore ordered adjudged and decreed by the Court that R. M. Castleman the Plaintiff do have and recover of and from John A. Black and Amos Morill Defts the sum of two hundred and Seventy three Dollars and ninty one cents his principal debt and Interest together with ten per Cent Interest per annum upon the same until paid and all costs of this suit for which execution may issue. It is futher ordered that said execution be enforced first against the property of said Black in Travis County Texas and if said Black have not sufficient property in said County to satisfy said execution then the said execution may be levied upon the property of said Morill and if said Morill shall be compelled to pay this Judgement or any part thereof then execution may issue for the same in favor of said Morill against the said Black-

Charles Krone
Vs
W. P. Mabin & W. D. Scott

Plff
Dfts

This case being called came the parties by their Attorneys and thereupon

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the demurrer of the Defendants to the petition was by the Court overuled and thereupon the parties waive a Jury and submit the cause to the Court, and it appearing to the Court that the Defendants are indebted to the Plaintiff in the sum of three hundred and twenty one Dollars and sixty cents and that the obligation sued on bears ten per cent interest. It is therefore considered by the Court that the plaintiff do have and recover of the said Defendants the sum of three hundred and twenty one and 6/100 Dollars and all Costs of suit (and that this Judgement bear ten per cent per Annum Interest) for all of which execution may issue.

Caroline Wohlenberger v E. Raven

2378. Admx of Estate of John Wohlenberger Dec'd. This cause being regularly called came the parties by their attorneys, and thereupon came a Jury to wit A. J. Cleveland and eleven others, good and lawful men duly impannelled and sworn who after hearing the pleadings, testimony and charge of the Court return into Court their verdict as follows. "We of the Jury find for the Plaintiff the amount of note $308 Interest $97.53. Total $405.53 A. J. Cleveland foreman". It is therefore considered by the Court that the Plaintiff do have and recover of the said Defendant four hundred and five 53/100 Dollars and all costs of suit herein, (and that this Judgement bear interest at the rate of ten per cent per Annum) for all of which execution may issue.

It is ordered by the Court that the fine heretofore entered against David Eshpright as a defaulting juror be and the same is hereby remitted, except cost.

Mary Buckner } In District Court Fall Term AD 1866
v.
Thomas Buckner }

2465 And now at this day comes Mary Buckner, the Plff in the above cause by her Attorneys, and it appearing to the Court that Thomas Buckner the defendant has been duly served and is represented by Counsel, W. P. de Normandie Esqr. appointed by the Court, and the cause coming on to be heard, and both parties announced themselves ready for trial, leave having been previously given by the Court to the Plff. to amend her petition, and thereupon came a Jury of twelve good and lawful men to wit, George W. Glasscock and eleven others, who were duly impannelled and sworn in accordance with law, and having heard the pleadings, the evidence, the argument of Counsel and the charge of the Court retired to consider of their verdict upon the Special issues submitted to them by the Court, and thereupon they returned into Court the following verdict, to wit. 1st. Have Plaintiff and defendant been legally married - Ans: They have - 2nd Are the allegations contained in Plaintiffs petition true. ans: They are. 3rd. What is the name, age and sex, if any of the children, the offspring of the marriage between these parties and in whose possession is such child. Ans: There is issue: Six female name Eva: said child is in possession of Plaintiff. G. W. Glascock Foreman.

And thereupon it appearing to the Court that the material facts averred in the plaintiffs pleadings are true, and that they constitute sufficient grounds for divorce. It is ordered, adjudged and decreed by the Court, that the Plff Mary Buckner be divorced from the said defd. Thomas Buckner, and that the Bonds of matrimony heretofore existing between them be dissolved. And it further appearing to the Satisfaction of the Court, from the evidence that the said defd. Thomas Buckner is not a proper person to have the custody of the female child Eva. It is ordered that the custody and possession of said girl Eva be given to her mother, the said Plff. And the said Thomas Buckner the defd. is hereby enjoined restrained and prohibited from disturbing the said Plff in the custody and possession of said child. It is further Considered that the said Plff do have and recover of and from the defd. all the costs of this suit for which execution may issue in accordance with law.

V. / 2380 / James T. Ward Plff / v. / James E. Ranck & N. N. Townsend Defts. / In District Court Fall Term 1866.

And now on this day comes the Plff in the above entitled cause and announced himself ready for trial, and it appearing to the Court that both the defts have been duly served with process in said cause, and that they have filed their answer to the same, but failed further to prosecute their defence in this behalf, thereupon came a jury of twelve good and lawful, to wit: John S. Spence and eleven others who were duly empannelled and Sworn in accordance with law, and having heard the pleadings, the evidence, and the instructions of the Court, retired to consider of their verdict and thereupon returned into Court the following verdict, to wit,

"Jury Room Dec. 4th 1866. We the jury find for the Plff

Principal $2288.$^{33}/_{100}$

Interest 465.$^{34}/_{100}$

2753-67

(Signed) Jno. S. Spence, foreman."

And thereupon came the Plff in open Court and remits the Sum of $33, on said verdict. And therefore it is considered by the Court, that the said Plff. J. T. Ward do have and recover of and from the said defendants James E. Ranck and N. N. Townsend the Sum of Two Thousand, Seven hundred and Fifty-three $^{67}/_{100}$ Dollars ($2753.67) with eight per cent interest thereon from this date until payment, together with all Costs of this suit for all which execution may issue in accordance with law.

Whereupon Court adjourned till tomorrow morning 9 o'clock

Tuesday, December 4th 1866. Court at 9 o'clock AM pursuant to adjournment whereupon the following proceedings were had

District Court Minutes, Tuesday Fall Term, Dec. 4th 1866

2314

Emeline Baldwin Plff
vs.
John Baldwin Dft. } This cause coming on to be heard the parties by attorneys, announced themselves ready for trial, and thereupon came a jury, good and lawful men of said County, to wit: G. H. Crozier and eleven others who being duly elected tried empannelled and sworn, after hearing the allegations, evidence or guments of Counsel and the charge of the Court, retired to consider of their verdict, and afterward returned into Court, the following verdict to wit. "We the Jury find the allegations in Plaintiffs petition true. G. H. Crozier, Foreman." Wherefore it is ordered, adjudged and decreed by the Court that the bonds of matrimony heretofore existing between the Plaintiff Emeline Baldwin and the defendant John Baldwin be and the same is hereby dissolved. It is further Considered, ordered, adjudged and decreed by the Court, that the land described in Plaintiffs amended petition, to wit:

Situated in the County of Erath, State of Texas, part of the Head Right of William Thomas and described as follows.

Beginning in the North West corner of said Survey. Bounded East by a Survey in the name of William A. Holland, and on the South by a Survey in the name of Moses Holland, and on the North by vacant land. Said tract of land owned by Plaintiff and defendant, contains five hundred acres. Be and the same is hereby adjudged to the Plaintiff Emeline Baldwin. It is further ordered, adjudged and decreed by the Court, that the custody and educating of the child George Augustus Baldwin, be and the same is hereby given to the Plaintiff Emeline Baldwin.

It is further Considered by the Court that the defendant John Baldwin pay all the costs of this suit, for which execution may issue.

2439

Thomas Freeman et al Plff
vs.
Brown & Hamilton Defts. } In this cause appeared the Plaintiffs by their Attorneys and asks for judgment by default and writ of Inquiry. It appearing to the Court that the Defendants, James F. Brown and N. A. Hamilton have been legally served with process in this cause, and it further appearing to the Court that said defendants have failed to appear and demur, plead or answer in this cause, within the time prescribed by law but wholly made default. It is therefore ordered, adjudged and decreed by the Court, that the defendants be and they are hereby barred, estopped and precluded from answering or setting up any defence in this cause and that a writ of Inquiry be and the same is hereby awarded, and cause continued.

2426

F. W. Chandler et al Plffs
N. G. Shelley
vs
J. W. Lane et al
J. H. Lane Defts } In this cause appeared the Plaintiffs by their attorneys, the defendant J. H. Lane and the defendants J. W. Lane come not. And the Plaintiffs announced themselves ready for trial, and thereupon

District Court Minutes, Tuesday Fall Term, Dec 4th 1866

Came a Jury of twelve good and lawful men of Travis County to wit. Jno S. Spence and eleven others who being tried impannelled and sworn according to law, after hearing the evidence introduced by the Plaintiffs and charge of the Court, retired to consider of their verdict, and returned into Court the following verdict, to wit: "Petit Jury Room Dec 4th 1866. We the Jury find for the Plaintiffs in the sum of the note $ 500 &c. Interest on the note to date $ 92.16 Total $ 592.16 Jno S. Spence foreman"

It is therefore ordered adjudged and decreed by the Court, that the Plaintiffs F.W. Chandler and A.G. Shelley, do have and recover of and from the defendants J.W. Lane and J.H. Lane, the Sum of five hundred and ninety two 16/100 dollars for their principal debt and interest up to this date, with 8 per Cent interest from this date until paid, together with all costs of this suit for which execution may issue according to law.

It being admitted by the Plaintiffs that the defendant J.H. Lane is surety on the note sued on for the said J.W. Lane. It is therefore ordered adjudged and decreed by the Court, that the defendant J.H. Lane do have execution against the said J.W. Lane for all such sums of money as the Sheriff return may show has been paid by the defendant J.H. Lane on this judgment.

2421 F.W. Chandler & A.G. Shelley vs. Albert R. Lane & John W. Lane — Plffs vs Defts

And now at this day comes on this cause to be heard, whereupon came the Plaintiffs by their Attorneys, but the defendants came not. Whereupon came a jury of good and lawful men of Travis County, to wit: John S. Spence and eleven others, who after being duly tried impannelled and sworn according to law, and after hearing the evidence adduced and the arguments of Counsel retired to consider of their verdict, and returned into Court the following verdict, to wit:

"Jury Room Dec 4th 1866 We the Jury find for the Plaintiffs principal and interest $ 584 8/100 Jno S. Spence, foreman.

It is therefore ordered, adjudged and decreed by the Court that the Plaintiffs F.W. Chandler and A.G. Shelley do have and recover of and from the defendants Albert R. Lane and John W. Lane the sum of five hundred and four 8/100 dollars for their principal debt and interest, with interest thereon from this date at the rate of eight per cent per annum until paid, together with all costs of this suit for which execution may issue. And now come A.G. Shelley and F.W. Chandler, the Plaintiffs in the above stated cause and remit the remittitur on the above judgment for the sum of six 80/100 dollars.

A.R. Johnson vs. Albert & Lacost et al — Plff vs Defts

District Court Travis County Fall Term 1866

The motion of the defendants coming on to be heard and being submitted to the Court it was thereupon agreed by the parties that said cause may be

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retransferred to the District Court of Williamson County, from which said cause was removed by change of venue to this Court. It is therefore ordered by the Court that said cause be transferred to the District Court of Williamson County and the Clerk of this Court is hereby directed to transmit the original papers in this cause to said District Court of Williamson County together with a certified transcript of the orders made in said cause in this Court.

Charles Krohn ⅔ Pfff ⅔ vs. ⅔ E. H. Holman & ⅔ Jno. A. Black ⅔ Defts. ⅔

2418

And now on this day come the parties to this suit by their attorneys, and the Plaintiff disnipes this case as to the defendans Jno. A. Black and the said Pfff and the defendans E. H. Holman announced themselves ready for trial, and thereupon came on the demurrer and special exceptions of the defts to Pfff's petition, to be heard, and being duly considered by the Court, are overruled, and thereupon came a jury of good and lawful men, Jno T. Cleveland and eleven others, who being duly elected empannelled charged and sworn, who after hearing the evidence and charge of the Court retired to consider of their verdict, and after due deliberation returned into Court their verdict as follows, to wit: "We the Jury find for the Pfff - Principal debt $500. - interest $217-13 = 717.13 and we also find that the land described in the petition is security for the payment of the note and interest. J. T. Cleveland, Foreman." It is therefore ordered, adjudged and decreed by the Court that the Pfff. Charles Krohn, have and recover of and from the defendans E. H. Holman the sum of Seven hundred and Seventeen 13/100 dollars principal debt and interest, together with all costs in this suit expended, for all which execution may issue. And it further appearing to the Court that said note sued on was given for part of the purchase money for the following piece or parcel of land, Beginning N. 6° W. 562½ varas from the S.E. corner of Eldridge Survey and N. W. corner of J. M. Blacknells division stake and stone mound in prairie from which a Post Oak 14 inches in diameter bears S. 3° E. 104 vrs. do 24 inches in diameter bears N. 72° E. 134 vrs. Thence N. 6° W. 1023½ vrs. stake from which a Post Oak 10 in diameter bears S. 71° E. 10 vrs. do 12 in diameter bears N. 45° W. 16 vrs. Thence N. 30° E. 331½ vrs stake from which a 3 pronged Post Oak bears N. 82° W. 11½ vrs. Thence S. 66° E. 237½ vrs stone mound. Thence S. 30° W. 331½ vrs. to the place of beginning. and that the venders lien was reserved in said note for the purchase money to the extent of said note, It is therefore ordered adjudged and decreed by the Court that the said venders lien in favor of the Pfff on the land aforedescribed be foreclosed and the said land be subjected to the payment of this judgment, and it is further ordered, adjudged and decreed, that an order of sale be issued by the proper officer directed to the Sheriff of Travis County, commanding the said Sheriff to sell the described land in satisfaction of this judgment, and that the said Sheriff pay over the money arising from such sale accordingly: and it is further ordered by the Court, that if a balance remain in the hands of said Sheriff after satisfaction satisfying the judgment in this case, the same be paid over to the defendans, and that if said proceeds shall not be sufficient to pay this said judgment then execution issue for such unpaid balance.

District Court Minutes, Tuesday Fall Term, Dec 4 1866

No 2513
X V

Louisa Matlen
vs
L Wahrenburger

And now comes the parties by their attornies, and announce themselves ready for trial. Whereupon came a jury, to wit, John S Spence and eleven others, who being duly elected and sworn according to law, after hearing the evidence argument of Council, and charge of the court, retire to consider of their verdict, and returned into Court the following verdict to wit, We, the jury find for the Plaintiff one hundred & Fifty Dollars, & 50cts John S Spence, Foreman, It is therefore ordered, adjudged, and decreed, that the Plaintiff Louisa Matlen, do have and recover from the Defendant L Wahrenburger administrator of the estate of S and K, Kirchberg, the sum of one hundred and fifty dollars, & 50cts and all costs, expended, and it is further ordered, that this judgment be certified by the Probate Court of Travis County, to be paid in due course of administration, of said estate,

V
2429
X

J. T. Chandler
vs
J. A. Johnson et
J P Chandler

This cause coming on to be tried, and it appearing to the court that the Defendant J. A Johnson has been duly cited, and failing to appear, and the Defendant Chandler having appeared and answered, came a jury, to wit, J. H. Hutchins and eleven others, who being empanneled and sworn, who having heard the "Pleadings" and the evidence and charge of the court, retire to consider of their verdict, returned into court the following verdict, We the Jury find for the Plaintiff, the original amount of the note, $500cts Int from June twenty fifth 1864 to this date, at ten % per ct $122,74/100 Total $622,74/100 We further find J P Chandler to be indorser of said note, J H Hutchins Foreman, It is therefore ordered and decreed that the Plaintiff Jacob T Chandler do have and recover of the Defendants, J A Johnson and J P Chandler, the sum of Six hundred and twenty two and 74/100 Dollars together with all costs expended for which execution may issue, It is further ordered by the court, that execution be first

levied upon the property, of J. R. Johnson, situated in the county of Travis, before levying upon the property, of Defendant H. W. Chandler, if there is property of the said Johnson in Travis county, It is further adjudged by the Court,

2470, Morton Townsend
vs
John I Beach

This cause coming on to be heard, and it appearing to the Court that the Defendant has been duly cited, and failing to answer, and it appearing to the Court, that this suit was upon a liquidated demand, It is therefore ordered, and decreed, that the Plaintiff Morton, M Townsend, do have and recover, of the Defendant John I Beach, the sum of one thousand three hundred and fifty eight, dollars, the amount of the note sued on, and interest to date, and all costs in this behalf expended, and that this Judgement draw interest at the rate of ten per ct per annum, until paid, for which execution may issue, and it further appearing to the Court, that the Defendant Beach, had executed a mortgage, on the following tract of land to secure the payment of the note sued on, to wit, a tract of land, containing about six hundred and forty acres, situated on Spring creek, in Travis County, about ten miles east of the city of Austin, located in virtue of, donation Certificate no 1318, issued to the heirs of Robert McKinney, Survey no 520, beginning at a stone mound, and south east Corner of Survey no 418, made for I M Tubbs,— Thence S 60 degrees E, 460 varas, to a stone mound, and N. W. Corner of Survey, in the name of M Hall, Thence S 30 W. 950 varas, to S. W. Corner of said Hall Survey, a stone mound, Thence S 60 E, with South line of said Hall Survey, 1901 varas to his I S. E. Corner, a Stake, Thence S 30 W, with the Sutton Survey, 950 varas, to his S W Corner, a stone mound, Thence N 60 W, 2112, varas a Stone Mound, Thence N 30 E, 2360 varas a Corner, Thence S 60 E, 352 varas, a stone mound on Tubbs West line, Thence ~~West~~ S S 30 W, 260 varas to the place of beginning, It is therefore ordered, and decreed that all equitable right of said Defendant, Beach, to the lands aforesaid be foreclosed, and that an order of Sale of said lands, do issue, requiring the Sheriff of Travis county, to sell said land as under an execution, and to apply the proceeds, to the payment of this Judgement, and the balance if any to be paid over to said Defendant, and

District Court Minutes, Tuesday Full Term, Dec 4th 1866

shows said land, not being sufficient to satisfy this judgment, execution issue against said Defendant for the remainder.

2139 X
2140 X

The State of Texas vs E Root. On this day the 4th day of Dec 1866 appeared the Dist- Atty in behalf of the State and asked to have the Judgments in these Two causes entered at a former day of this term of the Court. Let order and suggest to the Court the death of E Root the principal and discharge, as to said Root in these two causes, which is done, and asks for Judgment by default against B Williamson and Jas R Pace, It is therefore ordered and decreed by the court that the Judgments in these two causes be made final and that the State of Texas do have and recover from said Williamson and Pace the sum of one hundred dollars in each cause, and an equal half of all Costs in these causes expended for all which Execution may issue

Remitted by Governor Order, Aug. 1866. of costs.

2468 X

John F. Smith Plff
vs.
L. E. Ware, Andrew Ware & F. W Chandler Defts.

In District Court of Travis County.

Now on this day comes John F. Smith Plaintiff, and suggests the death of Andrew Ware, one of the defendants and discontinues as to legal representatives of said Andrew Ware deceased, and asks judgment final by default against said L. E. Ware, who has been duly served with all necessary process making her a party defendant to this suit, who has failed to demur, answer or plead within the time prescribed by law, and at the same time came the Plff and F. W. Chandler and submitted the matters in issue in this cause to the Court, and it appearing that Plffs demand was based upon a promissory Note or Obligation in writing the same being a liquidated demand and it further appear to the Court that said Chandler was endorser on the same, It is therefore ordered and adjudged by the Court, that the Plff John F. Smith do have and recover of the said defendants L. E. Ware and F. W Chandler the sum of one hundred and ninety Seven Dollars his principal debt and interest up to this date, together with all costs ten per cent interest per annum on the same until paid, and all costs of this suit for which execution may issue- It is further ordered that said execution be enforced first against the property of said L. E. Ware in Travis County Texas

and if there should not be found sufficient property belonging to said L.E. Ware in said County, then said execution is to be enforced against the property of said Chandler, and if said Chandler shall be compelled to pay this judgment or any part thereof then it is ordered and decreed that execution issue for the same in favor of said Chandler against said L.E. Ware.

Mary A. Kelly, Surving widow of Francis Kelly
vs.
Hall Medlin, Oliver H. Hodgecoe and Wm Case

In District Court Fall Term A.D. 1866.

And now at this day comes the Plff. Mary A. Kelly, being the Surving widow of Francis Kelly deceased whose death has heretofore been suggested and leave given the said Mary Kelly to make herself a party as surviving widow she having filed the inventory and given the bond in the Probate Court as required by law in such case, and announced herself ready for trial, and thereupon it appears to the Court that the above named defendants, to wit, Hall Medlin, Oliver H. Hodgecoe and Wm Case have been legally served in this cause and have heretofore filed answers and pleas in the same, but fail further, at this day to prosecute their defence in this behalf. Thereupon came a jury of twelve good and lawful men, to wit: John S. Spence and eleven others who were duly empannelled and sworn in accordance with law, and having heard the pleadings read, and the evidence in the cause, under the instructions of the Court, retired to consider of their verdict, and returned into Court the following verdict, to wit: "Jury Room, Dec 4th 1866. We the Jury find for the Plaintiff the amount of land Claimed in her pleadings. (signed) John S. Spence, Foreman." And it appearing to the said Court from said verdict, that the said Mary A. Kelly as surving widow aforesaid is legally the owner of one undivided half part of three hundred and twenty acres of land, which said land three hundred and twenty acres of land, are a part of a third of a league of land in Travis County, described as follows:

In Travis County on the East side of the Colorado River at the foot of the mountains about 40 miles above Bastrop, and known as Survey No. 8. Beginning at the South West Corner of Survey No 7 made for G.B. Spier at a stake in 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 67° West. Thence North 30° East with the line of G.B. Spier's Survey seven thousand two hundred and twenty three varas to a stone corner, from which a Post Oak marked + bears South 45° East 11 varas, and a live Oak marked + bears North 35° West 5 varas. Thence North 60° West three hundred and ninety nine varas to a mesquite stake from which a live Oak marked + bears South 35° West 13 varas, and another marked + bears North 22½° West 22 varas. Thence South 30° West thirty nine hundred and twenty three varas along the foot of the mountain to the South West Corner of said Survey on the river, a Cypress 30 inches in diameter marked + standing in the centre of a

Large Spring. Thence South 4° West thirty six hundred varas with the meanders of the River to the place of beginning, out of which said above described one third of a league of land, the said three hundred and twenty acres are to be taken off of the back end of said third of a league by a line run parallel to the said above described back line of said one third of a league, so as to include three hundred and twenty acres of land off of the back end of said third of a league of land.

It is therefore considered by the Court, that the said Plaintiff Mary A. Kelly as Surviving widow aforesaid do have and recover of and from the said Defendants, Hall Riddle, A. H. Hedgecoxe and William Case and all other persons claiming under each or any of the said Defendants, one undivided half part of the said three hundred and twenty acres of land above described, and that the said Defendants above named be divested of all title to the said undivided part last above referred to, and that the title to the same be absolutely vested in the said Mary A. Kelly as Surviving widow of the said Francis Kelly. And it further appearing to the Court, that since the institution of this Suit, to wit: on the 30th of July 1856 the said defendant William Case, has compromised his said suit with said Plff Francis Kelly during his lifetime, and it is therefore ordered adjudged and decreed, that the said William Case and those holding under him be quieted in his possession to the following described tracs of land, being parts of the said three Hundred and twenty acres above described to wit. Beginning at a stone pile on the East line of said Gilbert tract. Thence North 30° East four hundred and Seventy Five $\frac{10}{100}$ varas (475 $\frac{10}{100}$) a stake. Thence North 60° West two hundred and thirty Seven $\frac{60}{100}$ (237 $\frac{60}{100}$) varas to a stake, Thence South 30° West four hundred and seventy five $\frac{29}{100}$ (475 $\frac{29}{100}$) varas to a stake Thence South 60° West two hundred and thirty Seven $\frac{60}{100}$ (237 $\frac{60}{100}$) varas to the place of beginning. And it further appearing that the remaining undivided interest of the said Mary Kelly as Surviving widow, amounts to one hundred and fifty acres, and that she has asked for a partition of the same, and that it be set apart to her by metes and bounds, And it appearing to the Court that she is equitably entitled to have the same so set apart. It is ordered that James A. Thompson, James R. Pace and Joseph Lee be Appointed Commissioners to make said partition and they are ordered to set apart to the said Mary Kelly as Surviving widow aforesaid by metes and bounds one hundred and fifty acres out of said three hundred and twenty acres heretofore described, the same to be of fair average quality and value as near as possible with the other half of the said three hundred and twenty acres, and to make their Report of the same to the next term of this Court. And it is further ordered that the said Plff do have and recover of and from the said Defendants, all the costs of this suit heretofore accrued, for which execution may issue in accordance with

District Court Minutes, Tuesday Fall Term, Dec 4 1866

law. And it is further ordered that upon the return and approval by the Court of the report of said Commissioners, a writ of possession do issue against the said defendants and all other persons claiming under any of them to oust them from said land so set apart and to place the Plaintiff in possession of the same, and it is further ordered that the Plaintiff have leave to withdraw her title papers.

✓ 98	Alex Thompson et al vs E. & C. Robertson et al	Pltf Dfts	Death of W.D. Thompson suggested and leave to make parties, and cause continued
✓ 1844	A. Thompson et al vs. W.D. Thompson et al	Pltf Dfts.	Death of A. Thompson and of W.D. Thompson suggested, and representatives to be made parties when known and cause Continued.
✓ 2272 +	D. Holland vs J.F. Johnson & J.M. Swisher & Co.	Pltf Dfts.	Submitted on demurrer, which being considered by the Court, the same was sustained, It is therefore Considered by the Court that Pltf. in this case recover his costs of the defendant J.F. Johnson, for which execution may issue.
✓ 2309	N.A. Westfall vs Geo. Flournoy et al	Pltf Dfts.	It is ordered by the Court that the Continuance heretofore entered be set aside, and Pltf granted leave to amend and cause continued.
✓ 2338	Amos Merrill vs L.S. Friend	Pltf Dfts	Continued and alias citation to Llano Co.
✓ 2316 X	John Bremond vs. John McGaire		– It is ordered that this cause be dismissed as per agreement – It is therefore ordered by the Court that each party pay his own costs, for which execution may issue.
✓ 2341	J.J. Davis vs J.W. Parks	Pltf Dfts.	Death of Pltf suggested, and leave to make parties, and case Continued
✓ 2342	J.D. McGary vs A.C. & W.H. Hill		– Continued for service
✓ 2347	J.H. Murray v. J. Hollander		– Continued for service and Pltf leave to amend
✓ 2348	Revells, Harmon & Co. v. W.H. Morris & Chas. Schultz		– Continued for service.
✓ 2351 +	John Bremond v. S.M. Knight et al		Dismissed at defendants' costs. It is therefore considered by the Court that the Pltff. Bremond recover of the said defts Knights and others all costs in this behalf expended for which execution may issue
✓ 2353	P.S. Williams v. P. Jobe et al		– Pltf's death suggested and M.H. Bevers admr making himself a party, and leave to Pltf to amend and case continued.
✓ 2354	Simon Loomis v. W.P. Moben		– Continued.
✓ 2355	Loomis & Christian v. W.P. Moben		Continued

District Court Minutes, Tuesday Fall Term, Dec 4 1866

2360 J. Brennan v. J. B. Hammitt, r Continued for service and pffs leave to amend.

2364 Louis Elgin v. E Hansbrough – Continued

2366 H. W. Lummus v. W. W Breazeale et al – Continued

2372 R. N. Johnson v R. A. Rutherford. Continued by Pffs.

2373 Sam Wilbanks v. Jos Earl et al, Continued

2375 W. M Walton v C + S Lockwood – Continued

2377 W. A. Morris v. Andrew Kougn. Continued by Pffs

2379 J. D. McGary a. Rutherford, Johnson + Hare – Continued for service

2381 T. F. McKinney v. W. H. Lummus et al. Pffs has leave to amend, cause continued

2384 J. H. Raymond v. A. Gregg – Continued

2391 Wenday + wife v. Conrad Phluger – It is ordered that this cause be dismissed at defendants' costs. It is therefore considered by the Court that the Pffs. Wenday + wife recover of the dfts. Phluger all costs in this behalf expended for which execution may issue.

2391 T. M Swanson v. Chas McKinney – Continued and this Citation to be complied to.

2408 J. P. Key v. W. B. Coffee et al, Continued to perfect service.

2411 A. H. Barnes v. J. Harrell – Continued by Pffs.

2416 J. A. + G. H Paschal v. W. G. Lane et al, Continued

2427 B. Chote v. J. Davis + R. N. Johnson – Dismissed at Pffs costs. It is therefore considered by the Court that the defendants Davis and Johnson recover of the said Chote all costs in this behalf expended and that execution issue therefor.

2433 Alfred Smith v. J. Humphrey – Leave to Pffs to amend return.

2441 F. Jourdan v. A Kamp. Continued

2467 J. P. White v. A. J. Hamilton et als. Defts has leave to amend

2538 Vinda Adman v. Spencer Hardwell. It is ordered that this cause be dismissed, and it is further ordered that the Pff recover of the dft. Spencer Hardwell all costs in this behalf expended for which execution may issue.

2381 Jas. T. Ward vs. Townsend + Ramsey

Now on this day come the parties to this suit by their attorneys, and the motion filed in said cause for a new trial, coming on to be heard, which after being argued by Counsel, and duly considered by the Court. It is ordered that the same be granted upon condition that the Pff pay all costs in this behalf by the first day of the next term of this Court.

It is ordered by the Court, that all causes on the Civil dockets and those on the Criminal dockets not otherwise disposed of stand Continued till the next term of this Court.

It is ordered by the Court, that a fine entered at previous day of this term, against C. S. West and F. W. Chandler be and the same is hereby remitted, they paying the costs

District Court Minutes, Tuesday Fall Term, Dec 4 1866

The Clerk of this Court presents the following statement as required by law

A Statement of Jury Service at the Fall Term 1866 of Travis Co. District Court.

Grand Jurors

	Days	Days	amount			Days	amount	
W. T. Alford		8	16	00	John Stelfox	8	16	00
J. H. Walker		8	16	00	H. M. Metz	8	16	00
C. C. Browning		8	16	00	J. G. Mathews	8	16	00
J. A. Thompson		8	16	00	H. Simmigson	8	16	00
J. A. Berry		8	16	00	Joe Blumm	8	16	00
Geo. W. Davis		8	16	00	C. T. Egglestm	8	16	00
Jefe Burdett		8	16	00	E. Zimmerman	8	16	00
A. Piper		8	16	00	Thos. Smith	8	16	00
J. M. Hartson		8	16	00	J. H. Mathews	8	16	00

Petit Jurors

	Days	amount			Days	amount	
A. B. Burleson	3	6	00	A. Dohme	12	24	00
M. Swisher	5	10	00	C. C. Kirk	18	36	00
F. Smith	4	8	00	J. T. Cleveland	18	36	00
N. Clements	2	4	00	E. Millett	12	24	00
L. McKenzie	9	18	00	P. Golden	7	14	00
G. W. Glasscock	15	30	00	M. V. Townsend	9	18	00
W. D. Scott	18	36	00	J. G. Jolley	7	14	00
E. Christian	18	36	00	G. P. Kinney	12	24	00
L. Brown	18	36	00	W. D. Williams	13	26	00
J. C. Wilson	9	18	00	E. H. Darter	3	6	00
J. G. Billingsley	3	6	00	R. Smith	9	18	00
G. H. Crozier	18	36	00	J. W. Bonner	6	12	00
J. B. Perry	2	4	00	C. Behnke	13	26	00
J. S. Spence	10	20	00	H. Green	14	28	00
Jno. Haynie	8	16	00	J. Keller	3	6	00
E. Raven	1	2	00	Nat Watrous	3	6	00
D. D. Bonner	5	10	00	A. A. Horne	1	2	00
A. H. Billican	6	12	00	J. C. Pitmickey	7	14	00
L. B. Collins	1	2	00	Juergenson	7	14	00
G. Grant	9	18	00	Melasky	1	2	00
R. P. Wright	18	36	00	J. H. Hutchins	1	2	00
T. Hemphill	9	18	00	H. P. Piper	1	2	00.
Don Wilson	12	24	00				

The foregoing statement being examined and found correct is approved December 5th 1866, John Ireland Judge of the 2nd Judicial District of Texas-

District Court Minutes, Fall Term, Dec 3d 1866

The foregoing Minutes of the present Term of the District Court of Travis County, State of Texas, having been read in Open Court as the Statute requires are hereby approved and it is ordered that Court be now adjourned and stand adjourned until the next regular Term.

J W Ireland

Judge of 2nd Judicial Dist of Texas

District Court Minutes, ... Term, ... 186

The State of Texas } On this the 31st day of January A.D. 1867, we
County of Travis } Frank Brown, Clerk of the District Court of said County
and John G. Wheler, Clerk of the County Court of said
County in presence of J. H. Hutchins Esqr. a Justice of the Peace of said
County, have proceeded as required by law, at the Clerk's office of said
County to draw the names of Ninety six persons duly qualified to attend
at the next Term of the said District Court, to serve as Jurors, when the
following named persons were drawn, to wit:

1	B. Payne	33 P. Priestley	65 S. Lockwood
2	R. H. Smith	34 Ben Henricks	66 J. H. Colman
3	Joel Mines	35 James Hamilton	67 B. Melasky
4	John Bremond jr.	36 W. P. Sharp	68 A. T. Luckett
5	John Hamilton	37 V. L. Lobensky	69 J. B. Benson
6	J. W. Burleson	38 James Cottel	70 J. M. Mansfield
7	G. Baehm	39 J. W. Darlington	71 W. L. Glasscock
8	R. W. Rylander	40 J. B. Headspeth	72 W. W. Medearis
9	Nat. Moore	41 P. W. Stemphreys	73 W. B. Bardill
10	J. L. McGinnis	42 J. L. King	74 J. C. Bonner
11	E. Everett	43 Shadrack Pearce	75 J. R. Billingsly
12	T. J. Heury	44 E. M. Bacon	76 James Wells
13	A. B. Townsend	45 S. W. Chamberlain	77 L. K. Clifton
14	J. M. Coldwell	46 B. C. Brown	78 E. Fred
15	W. Wendee	47 D. C. Edmiston	79 Louis Hirsh
16	[illegible] J. Glover	48 P. Turner	80 C. Pecht
17	S. P. Brown	49 L. L. Thamason	81 John Green
18	H. L. Raven	50 Thos B. Banks	82 W. L. Piper
19	J. G. Leibe	51 Joshua Patterson	83 W. R. Robinson
20	W. R. Baker	52 E. Pruitt	84 E. J. Houston
21	Hiram Bennett	53 W. J. Davis	85 J. J. Manor
22	W. H. King	54 W. B. Nichols	86 L. B. Collins
23	F. M. Marks	55 A. J. Alexander	87 W. Fonville
24	J. W. Crawford	56 John M. King	88 W. S. Barnes
25	Peter Schmidt	57 C. W. Deison	89 Rhodes Fisher
26	Jas. Holman	58 R. W. Riley	90 J. H. Robinson
27	Jos Harrell	59 D. W. C. Baker	91 W. H. Houston
28	J. M. Barnhart	60 J. J. Cleveland	92 W. R. Davis
29	T. L. Pott	61 E. McLaughlin	93 J. A. Fitzhugh
30	W. G. Roundtree	62 A. McFarland	94 J. P. Hector
31	J. D. Buchanan	63 A. E. Stanley	95 John Barnes
32	P. De Cordova	64 James Sloan	96 A. A. Fuchs

In witness where of we here to subscribe our names this the
31st day of January A.D. 1867.

Frank Brown, Clk
Dist. Ct. Travis County.
By O. H. Cullen dep. Clk.
J. G. Wheler
Clk Co. Court Travis County
J. H. Hutchins J. P.

Venire for the Grand Jury }
Issued Janry 28/67 }
O. H. Cullen, Dept. Clk }

District Court Minutes, Texas Monday Term, March, 4 1867.

The State of Texas } Be it remembered that on the fourth
County of Travis } day of March A.D. 1867, being the time
appointed by law, at the Court House of
Travis County, a District Court for the said County of
Travis Texas was opened according to law, the Honorable John
Ireland Judge of the 2d Judicial District of the State of
Texas, presiding: Present, Frank Brown Clerk of said Court,
and Geo. B Zimpelman Sheriff of said County, and John
B. Rector Esqr. District Attorney - when the following proc-
eeding were had, to wit:

And thereupon the Court ordered the Sheriff to call the
names of the persons summoned to serve as Grand jurors at
this term of the Court, and a sufficient number not appearing
it is further ordered that the Sheriff summon a sufficient
number of by-standers to complete the panne. Which being
done, the following named persons appeared having been
Summoned as aforesaid, to wit. A. Zantzinger, E. S. Bailey
Jas. P. McKinney, A. M. Davidson, A. B. Burleson, Wm. Wilkes,
J. M. Tarley, A. H. Cook, Mines Long, B. F. Gauet, James
Manor, George Susman, P. A. Barnhill, W. C. Reager, B. Payne
Joel Miner, and J. W. Barlesm.

And thereupon the said jurors above named, were
each of them examined as to their qualifications; and being
found duly qualified according to law to serve as Grand
Jurors, were duly sworn, empannelled and Charged by the
Court as Grand Jurors for and during the present Spring Term
of the District Court of Travis County Texas.

And the Court having appointed James P. McKinney
foreman, of said Grand Jury, they retired for duty under
Charge of the bailiff duly Sworn to keep secret their pro-
ceedings.

And thereupon It is ordered by the Court that
the Criminal Docket be set for hearing and trial on
Monday the 11th day of March, 1867.

Whereupon Court adjourned till tomorrow morning
9 o'clock

Tuesday, March 5th 1867. Court met
at 9 o'clock pursuant to adjournment, present the
same as on yesterday whereupon the following proceedings
were had by said Court, to wit:

98. Alexander Thompson, adv. E. S. C. Robertson et al
Death of W. D. Thompson suggested, and leave granted
to make parties and cause Continued.

222. B. Grumbles & wife, vs. J. J. Grumbles et al,
Continued to make parties.

257. J. C. Stephenson et al v. Saml. Crosby et al, Continued.

District Court Minutes, Tuesday, Spring Term, Mch. 5th 1867

√V 257. Edward Grumbles, vs. W.S. Oldham - Continued to make parties -

√V 316. J.J. Grumbles vs. Green & Pace - Continued to make parties.

√V 403. James Park vs W.S. Oldham, Death of Pff. suggested and leave to make parties and cause continued -

√V 560. L.F. Price v. M. Shorb - Continued -

√V 882. A. Pfeiler. J.J. Grumbles et al - Continued to make parties -

√V 945 X. S.W. Dunson vs. J.A. Burdett. - It is ordered that this cause be dismissed at Plaintiffs Costs. It is therefore ordered by the Court that the defendant J.A. Burdett do have and recover his costs of the Plaintiff S.W. Dunson, in this behalf expended, for which execution may issue.

√V 986 X costs. Thomas F. Chapman, vs. Grambles & Duncan, It is ordered that this cause be dismissed at Plaintiffs It is therefore ordered by the Court that the defendants Grumbles and Duncan recover of the Plaintiff Thos. F. Chapman, all costs in this behalf expended for which execution may issue.

√V 1021. G.W. Cartwright vs. John F. Porter - Continued.

√V 1162. A.G. Wavell vs. E.M. Pease, Gov. &c. - Continued

√V 1164. W.D. Thompson, vs. Chas. & Augustin Reidel - Death of Pff. suggested, leave to make parties and cause Continued -

√V 1288. Thomas Blair vs. Sidon H. Harris - It is ordered that this cause be dismissed for want of prosecution, It is therefore ordered by the Court, that the Plaintiff Thomas Blair pay all costs in this behalf expended for which execution may issue.

√V 1299. F. Dieterich admr. vs. Glascock & Malitzky } Pff. vs. Defts. } In this cause appeared the Plaintiff and defendants by their attorneys and the defendants submitted to the Court their general and Special exceptions to the Plaintiffs petition, after hearing the same, and the argument of Counsel and the same having been fully Considered, It is ordered, adjudged and decreed by the Court that the exceptions, following numbered exceptions filed 23d November 1857, to wit: Nos. 1, 3, 4, 5, 6, 7, & 8. also amended exceptions filed 5th March 1867, be and the same are hereby sustained, that so much of the Plaintiffs petition mentioned in said exceptions be and the same is hereby overruled, set aside and held for naught.

And thereupon It is ordered by the Court that the following named persons who were summoned to serve as jurors at this term of the Court and failed to appear in obedience to the Summons be fined in the sum of fifty dollars each, 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 should not be made final against them as aforesaid, to wit. A. B. Palm, J. B. Banks, J. J. McGinnis, C. J. Glover, and W. R. Bakes-

Whereupon Court adjourned until tomorrow 9 o'clock

Wednesday morning, March 6th 1867. Court met 9 o'clock AM Pursuant to adjournment, present the same as on yesterday- whereupon the following proceedings were had, to wit:

1318. R. M. Tyner, vs. C. W. McAnally, Continued to make parties

1426 Sampson & Kenrick vs. Josiah Fish et als, - Continued.

1459. J. R. Pace et al. v. C. R. Johns, et als, - Continued -

1460 C. R. Johns et al, v. J. R. Pace et al. - Continued

1528. J. S. Thompson v. J. Dyches et al - Death of Mrs Dyches suggested, Leave to make Parties and cause Continued -

1554 F. Jordan vs. J. C. Steil et als. - Continued

1613. Maria R. Cahoon, Vs. Martha Smith et al - Continued

1628 J. L. Nichol vs. C. Lockwood - Continued

1631 Wm Alexander vs. J. F. Chapman, - Continued -

1667 John Edgar vs. D. J. Nichols et al - Continued

1669 C. H. Grooms trustee vs. B. F. Curtis et al, Dismissed for want of Compliance with rule for Costs - It is therefore ordered by the Court that the Plff in this Cause pay all costs in this behalf expended for which execution.

1671 J. A. Poag vs. S. P. Bird - Dismissed for want of prosecution. It is therefore ordered by the Court that the Plaintiff, J. A. Poag, pay all costs in this behalf expended, for which execution may issue.

1685 P. Wilcox et al vs. E. M. Smith et al - Continued

1693 S. J. Cassidy vs. John King - It is ordered by the Court that this cause be dismissed for want of prosecution, and it is further that the Plaintiff S. J. Cassidy pay all costs in this behalf expended for which execution may issue -

1704 Phelps & Johnston vs. J. C. Zuschlag et al - Continued -

1733 C. A. Hopkins et al v. Amos Morrill - Continued

1743 H. G. Stemmons vs. D. C. & G. R. Freeman - Continued

1746 J. R. Pace vs J. M. Blackwell Sheriff - Continued

1752 Thos Eborn vs. W. R. Cannons, Admr. Continued on affidavit of Plff

1759 N. M. Fizer v. Huling & Bunton - Continued to make parties -

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1760 D. M. Wilson, vs. J. F. Cleveland ad al — Continued

1774 Wm. N. Luckie vs. J. H. Connes — Ruled.

1803 Charles Klein vs. W. P. Rutledge et al — Continued

1804 S. M. Swenson, v. Mary E. Payne, — Continued

Whereupon Court adjourned until tomorrow morning 9 o'clock

Thursday, March 7th 1867. Court at 9 o'clock A.M. pursuant to adjournment, present the same as on yesterday — whereupon the following proceedings were had, to wit:

1807 Edward Grumbles vs. B. Grumbles et als — It is ordered that this cause be dismiked for want of prosecution, and it is further ordered by the Court that the Plaintiff Edward Grumbles pay all Costs in this behalf expended, for which execution may issue.

1816 Jas. A. Stewart vs. Shadrack Pearce — Continued.

1818 John F. Miller vs. M. A. Taylor — Continued on affidavit of Pltff.

1842 M. C. Burditt vs. G. W. & J. F. Burditt Admrs — Continued.

1844 A. Thompson et al — vs. W. D. Thompson et al — Continued to make parties —

1885 W. G. Wallace, vs. D. C. Kiffington — Continued to make parties

1887 L. Fellman vs. C. R. Johns & D. Blann — Continued on affidavit of defendants.

1[illegible] R. Butcher et al — vs. C. R. Randolph Jr. — Continued.

1909 Thos. B. Huling vs. Jas. M. Banton — Continued —

1913 F. J. Barziza, admx. vs. Jas. S. Holman, — Continued.

1916 B. J. Collins vs. Thomas Griffin — Continued.

1920 Gen. H. Gray, Chf. Jus. — vs. W. B. Covington, et al — Continued

1955 Francis Vinans vs. Wm. Fowler — Continued on affidavit of Defts.

1958 Susan L. Ward, vs Thos. Wm. Ward — Ruled —

1960 Saml. F. Wheeler vs. W. P. Newmans, heirs — Continued

1973 Thos. J. Wood vs. F. M. White, Comr of G. L. O. — Continued

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1978 Philips & Smith vs Nancy H. Ragsdale — Continued.

1989 Ellen Duval, et al — vs A. M. Davidson — Continued —

1993 J. Bledsoe, admr. vs P. W. & Jane Humphreys et al — Heard —

1997 A. F. Bell vs J. B. Perry — Heard —

2433 Alfred Smith, Plff — vs James Humphrey — defendant

In District Court for Travis County Texas.

Now on this day comes Alfred Smith the Plaintiff by his attorney, and asks judgment final by default in the above entitled cause in his favor against James Humphrey the defendant, and it appearing to the Court, that said Humphrey had been duly and legally served in said cause with Citation by publication in the "Southern Intelligencer", a weekly news paper, published in the City of Austin, Travis County Texas, for four successive weeks, prior to the 7th day of May A.D. 1866 as required by law, and that this cause had been regularly Continued for two terms prior to the present term of this Court, and it further appearing to the Court that said Humphrey, has not answered, demurred or pleaded to the Plaintiffs Cause of action, but has wholly made default, and it appearing to the Court that the Plaintiffs Cause of action is upon a promissory Note, a liquidated demand, which was read in evidence to the Court. It is ordered, adjudged and decreed by the Court that Alfred Smith the Plaintiff do have and recover of and from James Humphrey, the defendant, the sum of Nine hundred and Ninety two dollars and fifty Cents two Cents, ($992.52) his principal debt and interest up to date, together with ten per Cent. interest per annum on the same until paid and all Costs of this Suit.

And it further appearing to the Court, that on the 7th day of February A.D. 1866 an original attachment in said cause was issued by the Clerk of this Court, directed to the Sheriff of Freestone County Texas, against the property of said Humphrey as required and in accordance with law: and it appearing to the Court, that on the 22nd day of February A.D. 1866, said original attachment was by the Sheriff of said Freestone County, duly and legally levied on and upon the following described tracts or parcels of land as the property of the Deft. to wit: A tract or parcel of land containing two thousand, one hundred and twelve acres more or less, lying and being situated in Freestone County in the State of Texas, on the Trinity River about Sixteen miles N. 25° E. from the town of Fairfield and patented to James Humphrey assignee of E. J. Rector. And for a fuller and more particular description, reference is hereby made to the Patent for the same, issued to James Humphrey, assignee of E. J. Rector, on the 8th day of February A.D. 18[illegible]

by the State of Texas, said Patent being signed by A. J. Hamilton Provisional Governor, and F. M. White, Commissioner of the General Land Office. And a certain other tract or parcel of land lying and being situate in said Freestone County near Tehuacana Creek about thirteen miles N 22½ E. of Fairfield, containing one hundred and fifty three acres more or less as the property of said Humphrey, and for a fuller and more particular description of the last named tract or parcel of land, reference is hereby made to the Patent for the same, ipsued by the State of Texas to said James Humphrey as opigne of E. G. Rector, on the 18th day of May A.D. 1865 Signed by P. Murrah Governor, and S. Crosby Commissioner of the General Land Office. And it appearing to the Court that said property has never been replevied. It is ordered, adjudged and decreed by the Court that the Sheriff of the County of Freestone aforesaid, after due and legal notice on the same day, time and place, authorized by law for sale of such property under execution, proceed to sell the right title and interest, which the said Humphrey, had in and to the above and foregoing described tracts or parcels of land at the time of the ~~Corrleying~~ levying of said original attachment upon the same or which he now has, in accordance with law to satisfy the Plaintiffs principal debt and interest as aforesaid, and all interest that may accrue and become due upon the same up to the time of sale, and also all costs, and if said parcels or tracts of land should not bring enough to satisfy and pay off said sum or sums of money and all costs, it is ordered that the Clerk of this Court ipsue execution in favor of the Plaintiff against the property of the defendant, for the balance. It is Further ordered that the Clerk of this Court ipsue all necessary procss and writs to enforce this judgment according to law.

2007 Phelps & Johnston v. John Marshall & Co.
It is ordered that this cause be dismissed as to John Marshall, and Continued to make Parties.

2009 Neal McGaffey & wife vs. Thos P. Hughes - Continued

2013 E Henry vs. A. M. Davidson - Continued.

2022 John Brown vs. Raymond & Thompson - Death of defendant Thompson suggested, and Continued to make parties -

2023 John Sayles vs John Boudwareal - Continued

2025 James Humphrey v. D. C. & J. R. Freeman. It is ordered that this Cause be dismissed at Plaintiffs costs, and it is further ordered that James Humphrey pay all costs in this behalf expended for which execution may ipsue.

2026 James Humphrey vs. D. C. Freeman. It is ordered that this Cause be dismissed at Plffs costs, and it is further

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ordered that the Pff. Jas Humphrey, pay all costs this behalf expended for which execution may issue-

2135 J.M. Steines vs W.W. McLaughlin - Continued

2136 W.B. Burditt vs. Hamilton & Sims - Death of defendant Sims suggested, and leave to make parties and Cause continued.

2038 J.H. Lightfoot et al. vs. W.C. Lightfoot - Continued

2138. Jas. E. Pickle vs. Hopcock & Millican - Continued to make parties.

2064 Jas. Riley vs. Jas. Webb et al. Continued

2074 M.A. Doran vs. F.M. White Com. Ct. D.C.
Dismissed at Pffs. cost. It is therefore ordered by the Court that the Pff. Mary Ann Doran pay all costs in this behalf expended for which execution may issue

2098 John Ferris vs. M.L. & W.L. Palmer - Continued

Whereupon Court adjourned till tomorrow morning 9 o'clock

Friday March 8th 1867, Court met at 9 o'clock A.M. pursuant to adjournment present the same as on yesterday - Whereupon the following proceedings were had, to wit:

2153 J.H. Browning vs The Bartley Manufacturing Company - Continued

2169. O. Ledgecox vs R.H. Simmons et als - Continued for service.

2176 W.D. Scott vs W. Sims - Continued to make parties -

2181 Ellen Duval vs J.M. Bennett et als - Continued -

2183 Ellen Duval - vs W.T. Dyer et als - Continued.

2187 J.A. Caldwell vs Wm Fowler - Continued by consent, and ordered by the Court that Goodlow Miller of Bastrop County be appointed to make Survey -

2191 A. Van Buren vs W.M. Booth - Continued

2192 C.C. Browning et al vs J.L. & J.S. Friend - Continued for service

2196 A. Bohn, agent vs P. De Cordova - Dft. has leave to amend answer.

2211 T.P. Redding vs D.H. Coleman, Dft. has leave to amend.

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2218.	W. Sams, vs M.T. Johnson et al – Continued to make parties.
2220	Wm Jones vs. D.E. Watrous – Continued –
2222	Mitchell & Sperry vs. Jasper S. Holman – Continued for service.
2244 X	Garcipa Moore, vs. Jas. Broun – It is ordered that this cause be dismissed, and it is further ordered that the Plaintiff herein pay all costs in this behalf expended for which execution may ipsue –
2245 X	Wm. Oliphant vs W.G. Johnson et al – Ordered that this cause be dismissed at the mutual costs of the parties Plaintiff and defendants, herein. It is therefore ordered by the Court that the defendants herein recover of the Plaintiff half the costs in this behalf expended, and further ordered that the Plaintiff herein recover against the defendants half the costs herein expended, for all which execution may ipsue.
2263	Aaron Baley vs. Mark Grigsby – Continued
2265	Caroline Fretwell v. Josiah Fisk – Continued
2581.	Risher & Hall, vs. Bowles Baker et als – Continued for service –
2588	Joseph Harrell, vs. James Humphrey – Continued for service.
2590	Mary Roy vs. Robert Roy – Continued for service –
2592	L.P. Houston, vs. M. K. Miller – Continued.
2595	A. Morrill vs. Houston & Cook. Continued for service –
2596	A. Morrill vs. M'Guire & Cook, Continued for service.
2598	A. Morrill vs. M. J. Moore & A. Cook Continued for service
2599.	A. Morrill vs. Wood & Cook, Continued for service
2600.	A. King vs. E. A. King – Continued –
2601. X	R. S. Rust & Co. vs. J.K. Whipple et al – Dismissed at the mutual costs of parties Plaintiffs and defendants – It is therefore ordered that the defendants recover of the Plffs half the costs herein expended, and further ordered that the Plffs recover of the defendants herein half the costs in this behalf expended for all which execution may ipsue –
2610	M.O. Hamilton v. Paul Dailey – Continued for service

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2612 M. C. Hamilton, vs. G. D. Glapcock – Continued for service

2619 Hancock & West. vs. J. B. Reid – Continued for service

2622 Hancock & West. vs. Ed. T. Reed – Continued for service

2625 J. A. Sergni vs. Nancy J. Sergni – It is ordered by the Court that Fred Carleton and T. B. Wheeler Esqrs. be appointed to defend in this cause.

2629 Henry Swift & Co. vs. J. L. Buadoval – Continued

2635 Geo. W. Paschal – vs. Jenkins Davis et al – Continued for service and alias citation ordered to Hill County.

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

2643 S. M. Swenson vs. T. H. Jones – It is ordered that this cause be dismissed at the defendants costs, and it is further ordered that the defendant Thos. H. Jones pay all costs in this behalf expended for which Execution may issue

2644 S. M. Swenson vs. J. H. Herndon et al – Continued for service

2645 Geo. W. Paschal, pro al vs. A. P. Blocker – Continued

2647 Fred Wacker vs. W. B. McGehees heirs – Continued for service

2648 Wm Bagley vs. W. B. Burdill et al – Continued for service

2617 A. W. Townsend vs. W. W. McLaughlin & Irwin Root

And now comes the Plaintiff in the above entitled cause by his attorneys and discontinues said cause as to defendant Irwin Root because he is not served with process, and asks judgment final by default against defendant W. W. McLaughlin – And it appearing to the Court that the said defendant W. W. McLaughlin has been cited according to law to appear and answer the petition of Plaintiff and fails so to do but wholly makes default, and it further appearing to the Court, that Plaintiff's cause of action is liquided, being a promissory note as him described in his petition.

It is therefore ordered, adjudged and decreed by the Court that the Plaintiff do have and recover of and from the said defendant W. W. McLaughlin the sum of two hundred and thirty four dollars and thirty cents ($234.30) as his principal debt and interest to this date, together with all the costs in this suit expended, and the amount of this judgment draw interest at the rate of ten per cent per annum until paid for all of which execution shall issue.

This judgment is satisfied in full as per receipt filed March 14, 1868 – Caulfield, atty. Pltff

2603. Peter Durgee & Co. vs. James Floyd, and Thomas Freeman

In this Cause appeared the Plaintiffs by their attorney and it appearing to the Court, that legal Service has been duly executed upon each of the defendants, and it further appearing to the Court that the defendants have wholly failed to appear and demur plead or answer within the time prescribed by law, but wholly make default, and the Plaintiffs announced themselves ready for trial. And thereupon comes a Jury of twelve good and lawful men of Travis County, to wit: J. H. Hutchins and eleven others, who after being duly tried empannelled and Sworn, and after hearing the evidence and instructions of the Court returned the following verdict. "We the Jury find for the Plaintiffs $386.00 and interest $258.17 - $644.17 - J. H. Hutchins, foreman."

It is therefore ordered, adjudged and decreed that the Plaintiffs Peter Durgee, Robert Clingman and George W. Bolton, under the firm name and Style of Peter Durgee & Co do have and recover of and from the defendant James Floyd as principal and Thomas Freeman as endorser, for the use and benefit of Peter Durgee, the Sum of Six Hundred, forty four, & 17/100 Dollars for the amount of their principal debt and interest up to date, together with all costs in this suit expended, for which execution may issue as authorized by law.

2180 John T. Allan vs. Geroge Flournoy and Abner N. Cook

Now come the Parties by their attorneys and thereupon came a Jury of good and lawful men, to wit: J. H. Herndon and eleven others who being duly empannelled and sworn, well and truly to try the issue joined between the Parties, upon their oaths do say, that they find for the Plaintiff and assess his damages at the Sum of Nine Hundred and twenty two dollars ($922)

It is therefore considered by the Court, that John T. Allan do have and recover of George Flournoy and Abner N. Cook the Sum of Nine Hundred and twenty two dollars with interest thereon at the rate of ten per Cent per annum, together with all costs in this behalf expended, and that he have execution therefor.

2602 John S. Blair vs. Peter Hardeman

And now on this day Came the Plaintiff in in this Suit by his attorneys and announced himself ready for trial, whereupon it appearing to the Court that the defendant Peter Hardeman had been duly Served with process and Copy of petition in this Cause more than five days previous to the first day of this term, and that Plaintiffs Cause of action is upon a liquidated demand, and the said defendant having wholly failed to appear, plead or answer by himself or by attorney, upon motion of Plaintiffs attorneys, judgment by default is hereby rendered in this Cause, against the said defendant. Whereupon Plaintiff proceeded to execute a writ of inquiry in this suit, and the matters and things alleged in Plaintiffs petition having been submitted to a Jury of twelve good

District Court Minutes, Friday, Spring Term, March 8th 1867.

and lawful men of Travis County, to wit: J. H. Herndon and eleven others, who being duly tried, empannelled and sworn according to law, who after hearing the evidence adduced in the cause and Charge of the Court, retired to Consider upon their Verdict, and returned into Court the following Verdict: "We the Jury find for Plaintiff in the sum of 300/100 dollars principal & 124 33/100 interest making 427 33/100 dollars principal & interest, & we further find that the land described in Plaintiffs petition is subject to the Vendor's lien, and subject to the payment of the Note for above amount— J. H. Herndon, foreman"

Whereupon It is ordered, adjudged and decreed by the Court that the said Plaintiff Peter D. Burgess & John S. Blair have and recover of and from the said Defendant Peter Hardeman the sum of four hundred, twenty seven dollars and thirty three Cents with eight per cent per annum from date until paid, and all costs in this behalf expended. It is further ordered, adjudged and decreed by the Court, that the Vendor's lien, described in the Plaintiffs petition in this cause, be and the same is hereby foreclosed and enforced upon the lands described in the Plaintiffs petition, which is bounded as follows, to wit: The first tract of said land begins on the West bank of Little Walnut Creek, 5 varas S. 66° W. from a stake in the rock in the centre of said Creek near the lower corner of Cases mill Thence South 66½° West 105 varas to a stake. Thence S. 206 145 varas to a stake in the field. thence West passing North and near a small house 160 varas to a stone in the field and on the N. W. line of original Survey. thence N. 60° West 1060 varas with the original line, to the West corner of this Survey— a stone mound: thence N. 30° E. with the original line 395 varas to the centre of Little Walnut Creek: thence down the creek with its meanders to the Mill dam: thence West to the bank of said Creek, and down the West bank to the place of beginning: Containing 57 acres and 2222 square varas more or less— The second tract being bounded as follows: Being a part of Survey No. 28. beginning At the centre of Little Walnut Creek where the original line of said Survey crosses the same, 595 varas N. 30° E. from the West Corner of this Survey: thence North 30° East with the original line 400 varas to the centre of Little Walnut Creek— Course of the Creek S. E— thence down the Creek with its meanders to the place of beginning— Containing Six acres more or less—

It is further ordered, adjudged and decreed by the Court, that said land be sold to satisfy this judgment and costs, and to secure that object and to carry this decree into effect. It is ordered that the Clerk of this Court issue an Order of sale to the Sheriff of Travis County to sell the above described lands in satisfaction

of the judgment, and that in case the same shall not sell for enough to satisfy the said debt, intrest and costs of this suit that the said Plaintiff have execution for such balance as in other cases.

2608. Watson Freeman vs. George Golden, Thos Freeman, & J.C. Freeman.

Now on this day comes the Plaintiff in the above cause and dismiss as to Thomas Freeman and J.C. Freeman, and asks judgment final by default against the defendant George Golden, and it appearing to the Court that the said Golden had been legally served with procep making him party defendant herein, and it further appearing to the Court, that the said Golden has failed to plead, answer or demur to Plaintiffs cause of action within the time prescribed by law, but wholly makes default, And it further appearing that Plaintiffs cause of action is a liquidated demand being upon a promisory note. It is therefore ordered by the Court, that the Plaintiff Watson Freeman do have and recover of and from the defendant George Golden the sum of Seven hundred and Sixty one and 50/100 Dollars principal debt and intrest to date, with intrest therein at the rate of ten per Cent per annum, together with all costs in this behalf expended for which execution may ipsue.

2606. E.O. Corgine vs. M.W. Townsend -

Now on this day comes the Plaintiff E.O. Corgine in the above cause and Claims judgment final by default against the defendant M.W. Townsend, and it appearing to the Court, that the said Townsend has been duly served with Citation, Citing him to appear answer in this cause, and it appearing, further, that the said Townsend has failed so to do, but wholly makes default, and it appearing to the Court, that Plaintiffs cause of action is a liquidated demand, being upon a promisory note -

It is therefore ordered by the Court, that the Plaintiff E.O. Corgine do have and recover of the said defendant M.W. Townsend, the sum of Two hundred and thirty four & 9/100 Dollars, principal debt and interest to date, with interest thereon at the rate of ten per Cent per annum, together with all Costs in this behalf expended, for which Execution may ipsue.

2209 A. Alcock vs. Wm Wright & J.M. Dickson - Heard -

2273 J.J. Myers vs. Geo. Whit & als - Continued

2298. Blackwell & Ricks vs S.W. Read, & Co. - Continued

2300 J. Harrell, Pr. R.J. Downes, & al - Heard -

2313. F.E. Smith, admr. J. Hughes, & al - Plff - leave to amend and cause Continued -

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2377 W. A. Morris vs. Andrew Krueger — It is ordered by the Court that attachments be awarded for Fred Krueger and — Meisner, witnesses for Plaintiff, returnable forthwith

2338. Amos Morrill vs. L. S. Friend ××& —

The parties appear, the Plaintiff in proper person, and the Defendant by A. H. Longley Esqr., and agree that the Plaintiff have and recover of the defendant, the Sum of three hundred and Sixty three dollars, being the amount of the principle and interest called for in the written article upon which this suit is founded, subject to a deduction of twenty five dollars

It is therefore considered by the Court, that the Plaintiff have and recover of the Defendant the Sum of three hundred and thirty Eight Dollars, together with all costs in this behalf expended and that execution issue therefor.

2641

Geo. W. Paschal, Pro al.	}	Plaintiff
vs.		
D. L. Crop, E. H. Darter, L. Hartson, W. A. Morris and A. F. Cook	}	Defendants

And now at this day comes the Plaintiff Geo. W Paschal, agent for the heirs of the estate of M. Duval, deceased, and with leave of the Court, dismisses his suit as to the defendants Darter, Hartson, Morris and Cook, and announced himself ready for trial as to the remaining Defendant D. L. Crop, and it appearing to the Court, that the said Crop, had been duly and legally served with Citation, and had wholly made default and failed to answer herein, and it further appearing to the Court that the Pffs cause of action is liquidated as evidenced by an instrument in writing. It is Considered by the Court, that the said Plaintiff do have and recover of and from the said defendant D. L. Crop, the Sum of two hundred and Six dollars ($206) with ten Per Cent interest thereon from this date, together with all costs of this suit for which execution may issue.

2639

Geo. W. Paschal, pro al.	}	Plaintiff
vs.		
J. M. Blackwell, John B. Perry, S. M. Wright & J. T. Miller	}	Defendants

March T. 1867

And now at this day comes the Plaintiff Geo. W. Paschal as agent for the heirs of the estate of M. Duval, deceased, and announced himself ready for trial, and it appearing to the Court, that the said Defendants, J. M. Blackwell, J. B. Perry, S. M. Wright, and J. T. Miller, have been legally served with process in this suit, and have wholly made default, and failed to file an answer herein, and it further appearing to the Court that the Plaintiffs cause of action is liquidated and evidenced by an instrument in writing. It is therefore considered by the that the said Plaintiff do have and recover of the said defendants, Blackwell, Perry, Wright and Miller, the sum of one hundred and thirty six ^ Dollars. ($136.11) with ten per Cent interest

2168 ×

2190 ×

District Court Minutes, Friday Spring Term, March 8 1867.

thereon from this date together with all the costs of suit for all which execution may issue.

V
2168.
X

Oliver Hedgecoxe } Plaintiff
vs.
William Custard & William Oliphant } Defendants

And now at this day in the above entitled cause comes the Plaintiff O. Hedgecoxe, and announced himself ready for trial and it appearing to the Court that both the said defendants Custard and Oliphant, had been duly and regularly and legally served with process in suit, and had wholly made default and failed to answer the same, and it further appearing that the Plaintiffs cause of action is liquidated and evidenced by an instrument in writing - It is considered by the Court, that the said above named Plaintiff, do have and recover of the said above named defendants, the sum of two hundred and fifty six 00/100 Dollars ($256,00) with interest thereon at the rate of ten per cent from this date until paid and all his costs of suit, for all which execution may issue.

V
2190
X

C. R. Johns - Plff.
vs.
Eli Kirk, Deft.
C. C. Kirk Lydia A. Creuzbaur Robert Creuzbaur, Fred A. Kirk, John P. Kirk, and Josiah H. Kirk by his next friend C. C. Kirk - Intervenors

And now at this day come all the parties to this cause by their attorneys and announced themselves ready for trial, and by agreement, waive a jury and submit the matters in controversy to the Court, and by agreement. It is ordered, adjudged and decreed that the said Plaintiff C. R. Johns, do have and recover of and from the defendant Eli Kirk the following land, being the three hundred and eighteen acres described in the Plaintiffs petition situated in Hays County and described thus - Beginning on the S. E. Corner of League No 3 on the Rio Blanco at a stake from which a hackberry 12 inches in diameter bears S. 27° W. 2330 varas distant. Thence N 45° E. 1244 varas to a stake, Thence N 45° W. 1443 13/100 to a stake. Thence S. 45° W. 1244 varas to a stake. Thence S. 45° E. 1445 15/100 to the beginning. And it is further ordered and decreed that all title of the said Kirk to said land be cancelled and in accordance with this decree all necessary writs and process will issue to put said Johns in possession of said land. It is further ordered and adjudged in accordance with an agreement on file in this cause, that no process issue upon this judgement for six months from this date, and if at, or before, but not after six months the expiration of six months from the rendition of this judgment, said Kirk shall pay to said C. R. Johns the sum of five hundred dollars with ten per Cent interest thereon from the 16th of May 1856 to the day of payment, the said Johns agrees to reconvey to the said Kirk the above described premises.

It is further ordered that the said Intervenors, C. C. Kirk, Lydia A. Creuzbaur, Robert Creuzbaur, Fred A. Kirk, John

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P. Kirk and Josiah W Kirk by his next friend, C.C. Kirk, take nothing by their intervention, not showing any title to the property, and that they go hence without day, and that the said C. R. Johns do have and recover of the said Defendants and the said Intervenors all the costs of this suit for which execution may issue

1993 J. Bledsoe, admr. vs. P.W. & Jane Humphreys, Heirs of Mrs Fanton, Dec'd } Plff. vs. Defts. } The motion coming on to be heard, to set aside the order of the Court made in this case on the 17th day of November 1866, at the last term, ordering the legal representatives of W.J. Griffin to be made parties to this suit - and the attorney of Record of the said W.J. Griffin present and having been notified of the motion - and the Court having heard the said motion and being fully advised in the premises, it is adjudged that said motion be granted, and that said order be set aside and that this said case proceed as if no such order had ever been taken. and Cause Continued.

1887 Robert Mitchell vs. A. C. & J. Bardill -
Death of J. F. Bardill Suggested, and leave granted to make his legal representatives, parties to this suit, and it is ordered that and order of Survey be granted, and Cause Continued, and that the costs of Survey to abide the final decision of this cause.

1993 Whereupon Court adjourned until tomorrow morning 9 o'clock -

Saturday March 9th 1867. Court met at 9 o'clock A.M. pursuant to adjournment, present the the Same as on yesterday, whereupon the following proceedings were had, to wit:

1925 The State of Texas vs. Evans, Alex. Glenn & G.W. Johnson
1934 Same vs. L. Gilliam et al.
1937 Same vs. W.B. Covington et al -
2104 Same vs. C.E. Barnard et als -
2105 Same vs. Same defts.
2106 Same vs. Same defts.
2124 Same vs. W.R. Henry et als.
2125 Same vs. Same defts.
2126 Same vs. Same defts.
2145 Same vs. L.D. Bonner
2199 Same vs. John Baker
2200 Same vs. W.R. Poag et als.
2201 Same vs. R.H. Crosby et als
2202 Same vs. Same defts.
2203 Same vs. Same defts.
2278 Same vs. Robert Smith -

District Court Minutes, Saturday Spring Term, March 9 1867

2283 The State of Texas vs J. G. Harrell.
Now on this day comes the District Attorney and enters a nolle prosequi in the foregoing seventeen cases. It is therefore ordered by the Court that all of the above and foregoing named defendants go hence without day fully discharged.

2131 The State of Texas vs Ben Hines, W. Clifton and J. A. Smith.
2132 Same vs Same defts
2133 Same vs. Same defts.
2134 Same vs. Same defts
2135 Same vs. Same defts.
It is ordered by the Court that the above five causes be continued, and that alias writs issue, to Bastrop County for the defendant Clifton, to Williamson County for the defendants Smith and generally for Hines.

2143 State of Texas vs. J. H. Anderson, Sheff &c. - Continued
2243 Same vs. Geo. M. Smithes et al - Continued
2293 Same vs. J. Hines — — Continued
2295 Same vs. F. P. Sawyer. — Continued
—
2322 Sarah Johnson vs. T. W. Nolen. — Continued

2333 John T. Allan vs George Flournoy and A. W. Cook.
This cause is dismissed by Plaintiff. It is therefore ordered by the Court that the said Plaintiff John T. Allan pay all costs in this behalf expended for which execution may issue

2554 The State of Texas vs. J. M. Turley — On this day comes the District Attorney in behalf of the State, and the defendant comes not but makes default, and it appearing to the Court that the defendant has been duly served with process, and there being no cause why the judgment nisi rendered at the last term of the Court should not be made final. It is therefore Considered by the Court that the said judgment nisi be made final, and that the State of Texas do have and recover of the said defendant J. M. Turley, the sum of Twenty Five dollars and all costs, for which execution may issue, and that said defdt. stand Committed to the County jail until said fine and costs are paid.
2560 State of Texas vs Thos. Moore - Continued for service.
2561 Same vs. — Duncan. Continued for service
2554 State of Texas vs. Wm. Gibson — It is ordered that the judgment nisi heretofore rendered in this case be set aside and cause dismissed and that the defendant go hence -
2555 State of Texas vs Wade Henry - It is ordered that the judgment nisi heretofore rendered in this case be dismissed, set aside and case dismissed, and that the defdt. go hence without day

District Court Minutes, Saturday Morng. Term, March 9 1867.

2257. State of Texas vs. R. M. Johnson - On this day comes the District Attorney in behalf of the State, and the defendant by attorney and announced ready for trial, and the defendant showing no cause why the judgment nisi heretofore rendered against him, should be set aside, It is considered by the Court that said judgment be made final and that the State of Texas do have and recover of the said defendant R. M. Johnson, the sum of ~~Twenty~~ Five dollars and all costs for twenty days for which execution may issue and that said deft. Stand Committed to the County Jail until said fine and costs are paid.

2568. The State of Texas vs Jacob Goodrich

On this day comes the District Attorney in behalf of the State and the Defendant comes not, but makes default, and it appearing to the Court, that the Defendant has been duly served with process, and there being no cause shown, why the judgment nisi heretofore rendered against him, should not be made final. It is therefore considered by the Court, that said judgment be made final, and that the State of Texas have and recover of the Defendant, Jacob Goodrich, the sum of Twenty Five Dollars and all Costs for which execution may issue. And that said deft. Stand committed to the County Jail until said fine and costs are paid.

2564 State of Texas vs. T. Bradley - Continued

2565 State of Texas vs. Joseph Lockwinger.

On this day comes the District Attorney in behalf of the State and the Defendant comes not, but makes default, and it appearing to the Court that the Defendant has been duly served with process, and there being no good cause shown why the judgment nisi heretofore rendered against him, should not be made final. It is therefore Considered by the Court that the State of Texas do recover of the said Joseph Lockwinger the sum of Fifty Dollars and all costs, for which execution may issue. and that said deft. Stand Committed to the County Jail until said fine and costs are paid.

2578 Samuel A. McGeorals vs. Amos Morrill -

Now come the Plaintiffs by attorney and dismiss this cause from the docket - It is therefore Considered by the Court that the defendant herein, recover of the Plff herein all costs in this behalf expended for which execution may issue.

2642. S. M. Swenson, vs. Thos. A. Matthews - Now comes the Plaintiff and dismisses this suit - It is therefore considered by the Court, that the defendant Matthews recover of the Plff herein all costs in this behalf expended for which execution may issue.

2628 Joseph Harrell vs Horatio Goovins -

On this (8th day of March 1867) this cause being called comes the Plaintiff by attorney, and the defendant comes not but makes default, and it appearing to the Court that the

said Defendant has been duly served with process, and that the cause of action herein is liquidated and evidenced by the written obligation set out in the petition produced and shown to the Court, and it further appearing to the Court that the Defendant is indebted to Plaintiff, the sum of three hundred and twenty five & 25/100 Dollars. It is considered by the Court that the Plaintiff Joseph Harrell recover of the Defendant Horatio Grooms, three hundred and twenty five & 25/100 Dollars and all costs of suit, and that this judgment bear ten per cent interest per annum, for all which execution may issue.

239 q. W. H. Westfall vs. George Flournoy and F. W. Chandler -

On this day (8th March 1867) comes the Plaintiff by attorney, and the defendant Flournoy comes not but makes default, and comes the Defendant F. W. Chandler by attorney, and the demurrer and exceptions of said Chandler to the petition coming on to be heard, and it appearing to the Court that the law is for the Plaintiff, it is ordered that said demurrer and exceptions be overruled, to which the defendant excepts, and the parties waive a Jury and submit the matters and things to the Court, and it appearing to the Court that the defendant George Flournoy has been duly served with process. And it further appearing to the Court from the evidence adduced, that the defendants are indebted to the said Plaintiff in the sum of Two hundred and one dollars. It is therefore considered by the Court that the Plaintiff W. H. Westfall do have and recover of the defendants, two hundred and one dollars and all costs of suit, and that this judgment bear ten per cent interest, for all which execution may issue. To which judgment the defendant Chandler excepts and give notice in open Court, of an appeal to the Supreme Court.

2591 A. H. Parish vs. J. C. Rogan, and C. S. West.

On this day (8th March 1867) comes the Plaintiff by attorney and the defendants come not, but make default, and it appearing to the Court that the defendants have been duly served with process, and that the cause of action is liquidated and proved by the writing described in the petition here produced and shown to the Court, and that the defendants are indebted to the Plaintiff the sum of One hundred and fifty one & 66/100 Dollars. It is therefore considered by the Court, that the Plaintiff A. H. Parish recover of the defendants J. C. Rogan and C. S. West, One hundred and fifty one and 66/100 Dollars, and all costs of suit, and that this judgment bear ten per Cent interest, for all of which execution may issue.

258 q Frank Brown, vs. John H. Connes and J. C. Spence -

On this day (March 8) this cause being regularly called, come the Plaintiff by attorney, and the defendants come not but make default, and it appearing to the Court that the said defendants have been duly served with process, and that the cause of action is liquidated and evidence in the writing described in the petition produced and shown to the Court, and that there is due thereon Two hundred and forty one and 23/100 Dollars. It is therefore considered by the Court that the Plaintiff Frank Brown, do have and recover of the

Note. Judgment satisfied by Defendant Chandler E. H. March 14th 1867 and by Plaintiff from Flournoy to Defendant Chandler from Flournoy to Chandler Chandler to Connes Chandler to Connes Chandler to Connes

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Defendants John H Conner and C & L Hrs J. C. Spence the sum of two hundred and forty one and 93/100 Dollars, and all costs of suit, and that this judgment bear interest at ten per cent per annum, for all of which execution may issue.

2252 The State of Texas vs Thos H. Bacon. It is ordered by the Court, that the judgment nisi heretofore rendered in this cause be set aside, and the cause dismissed, and that the defendant go hence fully discharged.

2267 Wm Rust vs Willis Fawcett - Now on this day comes Eliza Rust, administratrix of Wm Rust deceased and makes herself party to Plaintiff to this suit, and it is ordered that Elizabeth Rust and Nancy Rust have leave to intervene, and that they have leave to amend, and cause continued.

1693 S. J. Capidy, Admr. vs. John King - Now on this day come the parties to this cause by attorneys, and the motion to reinstate the cause on the docket, coming on to be heard, and the argument of Counsel being heard, and the matters of law by the Court. It is ordered that this cause said motion be and the same is hereby granted,-

2587 J. M. Blackwell vs The City of Austin.
On motion of the Clerk, Plaintiffs attorney being present and notified thereof. It is ordered by the Court that this cause stand dismissed, unless security for costs be given within the time prescribed by law.

2590 Mary Roy vs. Robert Roy.
On motion of the Clerk, Plaintiffs attorney being present and notified, It is ordered by the Court, that this cause stand dismissed unless security for costs be given within the time prescribed by law.

2600 A. King vs E. A. King - On motion of the Clerk Plaintiffs attorney being present and notified It is ordered by the Court, that this cause stand dismissed unless security for costs be given within the time prescribed by law.

2625 J. A. Sevrgni vs. Nancy J. Sevrgni.
On motion of the Clerk Plaintiffs attorney being present and notified, It is ordered by the Court that this cause stand dismissed unless security for Costs be given within the time prescribed by law.

2631 J. C. Illingworth vs J. C. Illingworth. - On motion of the Clerk, Plaintiffs attorney being present and notified. It is ordered by the Court that this cause be dismissed unless security for costs be given within the time prescribed by law.

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2631. P. B. Lowe, Exr. vs. J. A. & J. E. Illingworth – On motion of the Clerk, Plaintiffs Attorney being present and notified, It is ordered by the Court that this cause stand dismissed unless security for costs be given within the time prescribed by law.

2647. Fred Wacker vs W. B. McGehee's heirs – On motion of the Clerk Plaintiffs attorney being present and notified thereof, It is ordered by the Court, that this cause stand dismissed unless security for costs be given within the time prescribed by law.

2649 Susan A. Billingsley vs. J. G. Billingsley – On motion of the Clerk Plaintiffs, attorney being present and notified thereof. It is ordered that this cause stand dismissed unless security for costs be given within the time prescribed by law.

2562 The State of Texas vs. C. Goodrich.

On this day comes the District attorney in behalf of the State and the Defendant comes not, and it appearing to the Court that the said Defendant has been duly served with process, and there being no good cause shown why the judgment nisi heretofore rendered against him should not be made final. It is therefore considered by the Court that the State of Texas have and recover of the said Defendant C. Goodrich the sum of twenty five dollars, and all costs – and that said defendant C. Goodrich stand committed to the County Jail until said fine and costs are paid.

2188. John H. Steers & Co. } Pffs } March Term 1867.
vs.
G. H. Glapcock & } Defts }
O. H. Millican }

And now at this day comes the Plaintiffs in the above named cause, and suggest the the death of John H. Steers, deceased, and his administrator Simon Loomis, here this day comes and makes himself party Plaintiff and the said Plaintiff John H. Robinson here comes and dismisses his suit, the Defendants having paid him the amount due to him and the said S. Loomis, administrator of the said Steers, dismisses his suit as to the Defendant Millican, and the said remaining parties, to wit the said Loomis as administrator of said Steers and the said George H. Glapcock as Defendant and announce themselves ready for trial, and by agreement waive a jury, and submit the matters in suit to the Court, and consent that the following judgment may be rendered.

It is therefore considered by the Court that the said S. Loomis as administrator of J. H. Steers deceased, do, by consent have and recover of and from the said defendant George H. Glapcock one thousand and Seventy Eight and 56/100 Dollars ($1078.56) together with all costs of this suit, for all which execution may issue.

111
143
477

State of Texas vs. Andrew Jackson – } It is ordered that these
Same vs. M. Needham – } three cases be continued and
Same vs. J. M. Morris } dismissed per generally

District Court Minutes, Saturday Spring Term, March 9 1867.

Whereupon Court adjourned until Monday morning 9 o'clock

Monday, March 11th 1867. Court met at 9 o'clock A.M. pursuant to adjournment, present the same as on Saturday. Whereupon the following proceedings were had, to wit.

576	State of Texas	vs. F. B. Beck. - Continued for service.
1235	Same	vs Wm C. Leggett - Continued for service
1317	Same	vs. J. N. Esmond - Continued for service
1351	Same	vs Peter Stenn - Continued for service
1382	Same	vs. A. Chamberlain - Continued for service.
1352	Same	vs. Jesse Graham et als - Continued for service.
1418	Same	v. John Martin, Continued for service
1528	Same	v John Rapp. Continued for service
1489	Same	v. J. Harley - Continued for service
1569	Same	v. J. K. Malone - Continued for service.
1579	Same	v Antone Aubgin - Continued for service
1584	Same	v. A Sibree - Continued for service
1586	Same	v B. A. & A. Batts - Continued for service
1587	Same	v A. Sibree - Continued for service
1588	Same	v M. Saty - Continued for service
1591	Same	v. Ben Stines & Dr. Jones - Continued for service
1592	Same	v. Wm Boyd - Continued for service
1595	Same	v. F. B. Clifton - Continued for service
1596	Same	v. Joseph Jackson. - Continued for service-
1599	Same	v. Peter (Mexican) - Continued for service-

2634. John Hancock & Geo. W. Paschal vs. Sylvester Lockwood — Plaintiffs — Defendant — March 8th 1867.

On this day comes the Plaintiffs by their attorney and the defendant Comes not but makes default, and it appearing to the Court that the defendant has been duly served with process, and that the cause of action is liquidated and proved by the writing described in Plaintiffs petition here produced and shown to the Court, and that the defendant is indebted to the Plaintiffs the sum of Two thousand One hundred and eighty six and 85/100 Dollars ($2186.85) It is therefore Considered by the Court that the Plaintiffs John Hancock and Geo. W. Paschal do have and recover of the said defendant Sylvester Lockwood the sum of Two Thousand One Hundred and Eighty Six & 85/100 dollars principal debt and interest to date with interest thereon at ten Per Cent per annum until paid, together with all costs of this suit for which execution may issue —

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1591	State of Texas vs Ben Hines & Dan Morris -	Continued for service -
1601	Same vs Henry Coleman -	Continued for service
1605	Same vs J. L. Brown.	Continued for service -
1607	Same vs P. & John Tarnes -	Continued for service.
1609	Same vs Randall Lightfoot -	Continued for service
1621	Same vs Jenkins -	Continued for service.
1623	Same vs Moran -	Continued for service.
1626	Same vs. Augustin (Mex)	Continued for service
1627	Same vs John Burleson jr.	Continued by the State.
1632	Same vs. J. Tarnes -	Continued for service.
1636	Same vs. Lewis Elgin -	Continued for service
1642	Same vs. J. H. Ermes -	Continued by deft.
1643	Same vs. Same	Continued by deft.
1644	Same vs Oscar (Fred)	Continued for service.
1645	Same vs. Carr -	Continued for by service State
1646	Same vs. Walter, the Baker	Continued by State.
1647	Same vs Same	Continued by State.
1648	Same vs. Dohme & Behnke	Continued by State.
1650	Same vs. Same	Continued by State.
1651	Same vs Geo. Martin & Smith.	Continued for service
1652	Same vs. H. Green	Continued by State.
1653	Same vs Jack O'Gorman -	Continued by State.
1654	Same vs. Same	Continued by State
1655	Same vs. John Eichel	Continued by State.
1656	Same v. Scheling -	Continued by State.
1657	Same vs. Same	Continued by State.
1658	Same vs Same	Continued by State.
1659	Same vs Dohme & Behnke	Continued by State.
1660	Same vs. Henry Alexander -	Continued for service
1665	Same vs Chas. Smith	Continued for service
1673	Same vs Schultz	Continued by State
1674	Same vs Prepler	Continued by State.
1675	Same vs Keller	Continued by State
1676	Same vs Prepler -	Continued by State.
1677	Same v. Ledegas -	Continued by State.
1678	Same vs. Same	Continued by State
1679	Same vs H. Green	Continued by State
1681	Same vs Ferguson	Continued by State
1682	Same vs B. Farmer	Continued by State.
1683	Same v. Schultz -	Continued by State.
1684	Same vs. Dohme & Behnke	Continued by State.
1685	Same vs Ferguson	Continued by State.

1597 State of Texas vs Goodman - It is ordered by the Court that a Special Venire issue for fifty men, returnable on Wednesday, the 13th day of March 1867.

1603 State of Texas vs Thos. Warren - It is ordered by the Court that a Special Venire issue for fifty men, returnable on Wednesday the 13th day of March, 1867.

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1470 State of Texas vs. D. D. Young -
1572 Same vs. Dick (Reed)
1573 Same vs. Same
1574 Same vs Same
1578 Same vs Same
1589 Same vs Thos. W. Ward.
1613 Same vs John Stumphreys
1617 Same vs P. Golden
1625 Same vs Sol Moore.
1669 Same vs Schultz -
1680 Same vs Bochm -

Now on this day Comes the District Attorney and enters a Nolle prosequi in the above Steven case - It is therefore ordered by the Court that the defendants above named go hence without day, fully discharged from said Indictments.

1600 State of Texas vs. Rafe Grumbles -, Continued and alias Capias ordered to Lamar County for defendant.

1598 State of Texas vs. Cyrus Puckett, Cause continued and attachment awarded for R. A. Pick, C. Krohn & Charles Loaman heretofore subpoenaed in this cause.

1649 State of Texas vs Estes & Blount - Continued and alias Capias ordered to Bowie County for the deft. Estes, and to San Augustine County for the deft. Blount -

1666 State of Texas vs. Whelock & Bellomy - Continued and alias Capias ordered to Roberts on County for Whelock and Capias ordered generally for Bellomy -

1671 State of Texas vs. Schultz, attachment awarded for witness Woyna, and Cause Continued

1672 State of Texas vs. Sasman, Attachment awarded for Witness Woyna and Cause Continued.

2084 M. V. Townsend vs. A. McCook. Now at this day cometh 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 J. N. Kemden and eleven others duly elected empanelled and sworn, who after hearing the evidence adduced, and Charge of the Court, returned into Court the following Verdict, to wit - "We the Jury find for the Deft J. N. Kemden, foreman" It is therefore considered by the Court that the Plaintiff take nothing by his said suit, and that the defendant A. McCook go hence without day, and that he recover of the Plaintiff M. V. Townsend all costs in this behalf expended for which execution may issue.

District Court Minutes, Monday Spring Term, March 11th 1867.

1686. The State of Texas v. J. B. Perry — Now on this day comes the District Attorney in behalf of the State and the Defendant in person and by atty and announced themselves ready for trial, whereupon comes a jury of twelve good and lawful men of Travis County, to wit: J. H. Herndon and eleven, duly empannelled, & sworn, who after hearing the evidence adduced, argument of Counsel and Charge of the Court, retired to consider of their Verdict - and due deliberation returned into Court the following verdict, to wit, "We the Jury find the Defr not guilty, J. H. Herndon, foreman" It is therefore Considered by the Court the State of Texas take nothing by her said suit, and that the defendant Perry go hence, fully discharged from said, indictment.

Whereupon Court adjourned till tomorrow morning 9 o'clock

Tuesday, March 12th 1867. Court met a 9 o'clock a.m. pursuant to adjournment - present the same as yesterday -

1687. State of Texas vs. Brown Sawyer — Now on this day comes the District Attorney in behalf of the State and the defendant Sawyer in person and by attorney, and announced ready for trial, whereupon comes a jury of twelve good and lawful of Travis County, to wit: J. H. Herndon, and eleven others, duly elected empannelled and sworn, who after hearing the Indictment read, evidence, adduced, argument of Counsel and Charge of the Court, retired to consider of their verdict, and after due deliberation returned into Court the following Verdict, to wit: "We the jury find the defdt. guilty and assess his fine at one dollar. J. H. Herndon foreman. It is therefore considered by the Court that the State of Texas do have and recover of the defendant Brown Sawyer the sum of One dollar and all costs of this prosecution. And it is further ordered that said defendant stand committed to the County jail until said fine and costs are paid.

1688. The State of Texas vs. Brown Sawyer. Now on this day comes the Distrct Atty, and the defendant in person and by atty announced ready for trial, whereupon the defendant pleads not guilty - then came a jury of twelve good and lawful men of Travis County, to wit. J. H. Herndon and eleven others, who after hearing the indictment read, the evidence, 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 the defdt. guilty and assess his fine one dollar. J. H. Herndon foreman. It is therefore considered by the Court that the State of Texas do have and recover of the defendant Brown Sawyer the sum of One dollar and all costs of this prosecution, and it is further ordered that said defendant stand committed to the County jail until said fine and costs are paid.

1690. State of Texas vs. Thomas Swisher (Forcd) Continued

1691. Same vs. Aurora Alexander. Continued for service.

District Court Minutes Tuesday Spring Term, March 12th 1867.

1312 Joseph Newsham Pltff } Now on this day come the
vs. } parties by their attorneys and
John Newbrand Deft } announced ready for trial
and waiving a jury submitted the matters in Controversy
to the Court and it appearing to the Court from the
evidence adduced, that the Plaintiff is entitled to recover nothing
by his said suit. It is therefore Considered by the Court
that the Plaintiff Joseph Newsham take nothing by his
said suit and that the defendant recover of the said
Plaintiff all costs in this behalf expended for which
execution may issue.

1689 The State of Texas vs. Brown Sawyer - Now on this day comes
the District atty in behalf of the State and the defendant in per-
son and by atty. announced ready for trial - whereupon the defen-
dant pleads "not guilty" then came a jury of twelve good and
lawful men of Travis County, to wit: J. H. Kenden and eleven
others duly elected, empannelled and sworn, who after hearing
the indictment read, the evidence adduced, and Charge of the
Court retired to consider of their Verdict - and after due deliber-
ation returned into Court the following Verdict, to wit. "We the
jury find the defdt. guilty and assess his fine at one dollar
J. H. Kenden, foreman." It is therefore Considered by the
Court that the State of Texas do have and recover of the defen-
dant Brown Sawyer, the sum of One dollar, and all
costs of this prosecution. and it is further ordered that said
defendant stand committed to the County Jail until
said fine and costs are paid.

1693 State of Texas vs. Bellomy, Whitsell & Sawyer.
It is ordered by the Court this Cause be Continued and
that Capias issue to Panola County for Bellomy, to Fannin
County for Whitsell and to Marion County for Sawyer -

1694 State of Texas vs. Chas. Smith - Continued and Capias ordered to Bexar Co
1695 Same vs. Tom Architree. - Continued for service
1696 Same vs. Saul Baraillf(Freed) Continued for service
1697 Same vs Robbins & Bibey - Continued and Capias ordered to Bell County
1698 Same vs Martin & Smith - Continued and Capias ordered to Bexar County
1699 Same vs. Sampson Murray - Continued and alias Capias ordered -
1700 Same vs Same Continued and alias Capias ordered.
1701 Same vs Martin & Smith - Continued and alias Capias to Bexar Co.
1702 Same vs. Schuldt - Continued by State.
1703 Same vs. Same - Continued by State.
1704 Same vs Dohme & Behnke - Continued by State.
1705 Same vs - Martin - Continued and alias Capias ordered.
1706 Same vs. Chas. Smith. Continued and alias Capias ordered.
1709 Same vs L. Beck - Continued and alias Capias ordered to Bexar Co
1711 Same vs Frank (Freed) Continued and alias Capias ordered.
1712 Same vs Same Continued and alias Capias ordered

District Court Minutes, Tuesday Spring Term, March 13th 1867

1713 State of Texas vs Crawford Kimbro - Continued by State and attachment awarded to Williamson Co. of Vincent Avery, witness in the above cause

1714 State of Texas, vs. Crawford Kimbro - Continued by State and attachment awarded to Williamson County for the witness Oxley -

1710 State of Texas vs George Martin & Jack Nash.

Now comes the District attorney in behalf of the State and files a written application, stating that the witness Thomas Eames is a material witness in this case, and asks that he be fined for failing to appear in obedience to the subpoena served upon him, and it appearing that said Eames has been duly subpoenaed and after being called and not appearing, It is Considered by the Court that the said Eames, witness in the above cause, be fined in the Sum of Fifty dollars, and that Scire facias do issue to him returnable to the next term of this Court, commanding him then and there to appear and show cause if any he can why this judgment should not be made final against him as pressed.

1585 The State of Texas } Plaintiff } This cause being called for
vs. } } trial the defendant J. S.
E. J. S. Bowles et als } Defendant } Bowles failing to appear and
answer to the indictment in this cause, he and his securities E. A. Walker and J. Blumm being distinctly called at the door of the Courthouse of Travis County, and the defendant, after a reasonable length of time still failed to appear, and it appearing to the Court that the defendant one J. S. Bowles, with the said E. A. Walker and J. Blumm as his securities, did execute the Bail Bond on file in this Case, substantially as follows. Dated 4th day of May 1866 payable unto the State of Texas in the sum of Five Hundred dollars Conditioned that the said defendant J. S. Bowles make his personal appearance at the District Court of said County of Travis on the tenth Monday after the first Monday in March 1866, to answer the Indictment preferred against him the said defendant J. S. Bowles & others by the Grand Jurors of Travis County at the Fall Term A.D. 1865, for theft, and there remain from day to day and from term to term of said Court and that he do not depart thence without leave of said Court. Which said Bond is forfeited, and it is Considered by the Court that the State of Texas do have and recover of the said J. S. Bowles, the said sum of Five Hundred dollars and of his said securities the sum of Five Hundred dollars, and that this judgment will be made final unless good cause be shown at the next term of this Court why the said defendant J. S. Bowles did not appear And further ordered that Citations do issue to the said securities, and Continued alias capias awarded -

1585 The State of Texas vs. Jas. Moore et als - This cause being called for trial, the defendant Jas. Moore failing to appear and answer to the indictment in this Case, he and his Securities Elizabeth Moore and John Hancock being distinctly called at the door of the Courthouse of ~~Travis~~ Travis County, and the Defendant after a reasonable length of time still failed to appear, and it appearing to the Court that the defendant James Moore with the said

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Elizabeth Moore and John Hancock as his securities did enter into Recognizance in open Court on the 2nd day of June payable 1866, payable unto the State of Texas in the sum of Five hundred and fifty Dollars Conditioned that the said defendant James Moore make his personal appearance at the District Court of said County of Travis on the first day of the next term of said Court to answer the indictment preferred against him by the said defendant Moore and others, by the Grand Jurors of Travis at the Fall Term A.D. 1865, for theft and there remain from day to day and from term to term of said Court, and that he do not depart thence without leave of said Court, which said Recognizance is forfeited, and it is considered by the Court that the State of Texas do have and recover of the said James Moore the said sum of Five hundred and Fifty Dollars and of his said securities the sum of Two hundred and fifty dollars, and that this judgment will be made final unless good cause be shown at the next term of this Court why the said defendant James Moore did not appear, and further ordered that Citations do issue to the said securities and cause continued -

1594 The State of Texas vs. Wm Hudson & Josiah Hudson.

This cause being called for trial the defendant Wm Hudson failing to appear and answer to the indictment in this case, he and his security O.H. Millican being distinctly called at the door of the Courthouse of Travis County, and the defendant, after a reasonable length of time still failed to appear, and it appearing to the Court that the defendant Wm Hudson with the said O.H. Millican as his security, did execute the Bail Bond on file in this case substantially as follows: Dated November 9th 1866, payable unto the State of Texas in the sum of Three Hundred Dollars, Conditioned that the said defendant Wm Hudson make his personal appearance at the District Court of said County of Travis on the 2nd Monday after the first Monday in September 1866, to answer the Indictment preferred against the said defendant Wm Hudson and Josiah Hudson for hog stealing by the Grand Jurors of Travis County, at the Fall Term A.D. 1865, for hog stealing and there remain from day to day and from term to term of said Court, and that he do not depart thence without leave of said Court. Which said Bond is forfeited, and it is considered by the Court, that the State of Texas do have and recover of the said defendant Wm Hudson the said sum of three hundred dollars of his said security the said sum of three hundred dollars, and that the judgment will be made final unless good cause be shown at the next term of this Court why the said defendant did not Wm Hudson did not appear, and further ordered that Citation, do issue to the said security, and cause Continued and alias capias ordered.

1715 State of Texas vs Bellamy Estes & Reeves - Continued for service and capias ordered to Panola Co. for Bellamy - to Bowie Co. for Estes and to Grayson for Reeves.

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* 1807	The State of Texas	vs.	Chester Williams.	Theft.
1808	Same.	v.	Richard Williams	Reciving Stolen money.
1809	Same.	v	Chester Williams.	Theft.
1810	Same.	v.	A. G. Buddington.	Swindling.
1811	Same	v.	George Wilson.	Theft.
1812	Same	v.	James Looney & Henry Cowins.	Theft. Robery.
1813.	Same	v.	John Green.	Sodomy with a Sow.
1814	Same	v.	John Tibeaut.	Negligent Homicide.
1815	Same.	v.	Dick Miller.	Murder
1816.	Same.	v.	John Brown.	Theft.
1817	Same	v.	John Jackson.	Theft.
1818.	Same.	v.	A. F. Boyce.	Assault with intent to Kill & Murder.
1819.	Same	v.	Aaron Burdit.	Assault with intent to Kill & Murder.
1820.	Same.	v.	John Denson.	Assault with intent to Kill & Murder.
1821.	Same	v.	Paul and Carlene Carter.	Theft of a Hog.
1822.	Same.	v.	John Alexander and Thomas Matlock.	Murder.
1823.	Same.	v.	David Kimbro.	Theft of a horse.

* 18 Now on this day (11th March) came and appeard in open Court the Grand Jury for Travis County and State of Texas, duly elected, empanneled and sworn for and during the present term of this Court, and by their Foreman James P. McKinney presented to the Court the following bills of Indictment as follows, to wit,

1824. And thereupon said Grand Jury through their Foreman James P. McKinney suggested to the Court that there was further business before them and thereupon the Court ordered said Grand Jury to retire upon a further discharge of their duties.

1716 ✓ State of Texas vs. Jack Nash, Joe Lee & Billy Thompson.

This Cause being called for trial, the witness Tom Eanes failing to appear and testify in said cause, he and his Security O. H. Millican being distinctly called at the door of the Courthouse of Travis County and the said Eanes after a reasonable length of time still failed to appear, and it appearing to the Court that the said Tom Eanes with the said O. H. Millican as his Security did enter into in open Court recognizance on the 20th day of November 1866, payable unto the State of Texas in the Sum of Twenty Dollars each Conditioned that the said Tom Eanes shall appear in Court now in Session of the City of Austin, and there remain from day to day and from term to term of said Court thereafter to testify and give evidence in the above Cause, and that he do not depart the Court without leave. Which said recognizance is forfeited, And it is Considered by the Court that the State of Texas do have and recover of the said Tom Eanes the said Sum of Twenty dollars, and of his said Security the said Sum of Twenty dollars, and that this judgment will be made final unless good cause be shown at the next term of this Court, why the said Tom Eanes did not appear, and further ordered that Citations do issue to the said Tom Eanes and his said Security, O. H. Millican, and Case Continued by the State.

1717. State of Texas v. Billy Thompson — Continued for Service.

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1720 State v. Fugett. Continued for Service.
1721 State v. Sussman. Continued by the State.
1723. State v. Charley Smith. Continued and Alias Capias to Bexar County.
1724. Same v. Same. Continued and Alias Capias to Bexar County.
1755. State v. Dan Morris. Continued and Alias Capias to Bexar County.
1757 State v. Charley Smith. Continued and Alias Capias to Bexar County.
1758. State v. Tom Ochltree & Whelock. Continued and alias Capias ordered to Robertson Co for Whelock and generaly for Ochltree.
1759. State of Texas v. O W. McFalland. Continued for Service.
1773. State " " v. Baker & Krone. Continued.
1774. State " v. " " Continued.
1775 State v. Baker & Krohn. Continued.
1782 State v. Brown Sawyer. Continued for Service.
1784. State v. C. Klein. Continued by the State.
1785. State v. C. Klein. Continued by the State.
1786. State v. Cranch et als. Continued for Service and Alias Capias to Hamm Co.
1788. State v. John Comer. Continued by the State.
1793. State v. W. P. Ruttledge. Continued and Alias Capias to Williamson Co.
1794 State v. W. P. Ruttledge. Continued and Alias Capias to Williamson Co
1796. State v. Schilling. Continued by the State.
1800 State v. Catarina Luci Reaz. Continued for Service.
1801 State v. Albert Trudman. Continued for Service.
1802. State v. Billy Thompson. Continued and Alias Capias to Bexar Co
1803. State v. Billy Thompson. Continued and Alias Capias to Bexar Co
1805. State v. George Joel Trudman. Continued and Alias Capias to DeWitt Co.

1750 State of Texas v. Sanford Mosp.
1765 State " v. Hankey.
1767. State v. Madison Banks.
1804. State v. George Joel.
1806. State v. C. Klein.

Now on this day comes the District Attorney and enters a "Nolle Prosequi" in the above five Causes it is therefore Considered by the Court that the State of Texas take nothing by her said suits, and that the above defendants go hence without day, fully discharged from said Indictments.

15

1582. State of Texas Vs. William Ake and Cash Ake. Now comes the District attorney in behalf of the State and files a written application, stating that the Witness G. R. Scott is a material witness in this Cause and asks that he be fined for failing to appear in obedience to the Subpoena served upon him, and it appearing that the said witness has been duly subpoenaed, after being called and not appearing it was considered by the Court that said G. R. Scott witness in the above Cause be fined in the sum of Fifty dollars, and that Scire Facias do issue to him returnable to the next term of this Court, Commanding him then and there to appear and show cause if any he can, why this Judgement should not be final against him as aforesaid. Attachment awarded and Cause continued by the State.

1582 State of Texas Vs. W. K. Makemson. Now Comes the District Attorney in behalf of the State and files a written application, stating that the Witness W. K. Makemson is a material witness for the State and asks that he be fined for failing to appear in obedience to the Subpoena served upon him, and it appearing that the said witness has been duly

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Subpoenad, after being called and not appearing it ~~was~~ is considered by the Court that said W. K. Makemson as witness in the above cause be fined in the Sum of fifty dollars, and that Scire Facias do issue to him returnable to the next term of this Court, Commanding him then and there to appear and show cause if any he can why this Judgement should not be made final against him as aforesaid, and attachment awarded and Cause Continued by the State.

1598 The State of Texas vs. Cyprus Puckett —

Now comes the District Attorney in behalf of the State, and files a written application, stating that the witness R. H. Peck is a material witness in this cause, and asks that he be fined for failing failing to appear in obedience to the subpoena served upon him, and it appearing that said witness has been duly subpoenaed, after being called and appearing, it is considered by the Court that the said R. H. Peck witness in the above cause be fined in the sum of fifty dollars, and that Scire facias do issue to him returnable to the next term of this Court, Commanding him then and there to appear and show cause if any he can, why this judgment should not be made final against him as aforesaid, and attachment awarded and cause continued by the State.

1599 The State of Texas vs. Cyprus Puckett —

Now comes the District Attorney in behalf of the State and files a written application, stating that the witness C. Krohn is a material witness in this cause, and asks that he be fined for failing to appear in obedience to the subpoena served upon him, and it appearing that said witness has been duly subpoenaed, after being called and not appearing it is considered by the Court that the said C. Krohn witness in the above cause be fined in the sum of fifty dollars, and that Scire facias do issue to him returnable to the next term of this Court, Commanding him then and there to appear and show cause if any he can why this judgment should not be made final against him as aforesaid, and attachment awarded and cause continued by the State.

1598 The State of Texas vs. Cyprus Puckett.

Now comes the District Attorney in behalf of the State and files a written application, stating that the witness Charles Loaman, is a material witness in this cause and asks that he be fined for failing to appear in obedience to the subpoena served upon, and it appearing that said witness has been duly subpoenaed, after being called and not appearing, it is considered by the Court that the said Charles Loaman, witness in the above cause be fined in the sum of fifty dollars, and that Scire facias do issue to him returnable to the next term of this Court Commanding him then and there to appear and show cause if any he can why this judgment should not be made final against him as aforesaid - and attachment awarded and cause continued by the State.

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1818 The State of Texas vs A F Boyce — Plaintiff vs Defendant — Now on this day appeared in open Court A F Boyce as Principal and A. R. Morris and James Manor as his Securities and acknowledged themselves to owe and be indebted unto the State of Texas in the Sum of Two Thousand Dollars each, to be levied upon their respective goods and Chattels, Lands and tenements, but to be void nevertheless upon Condition that the said A. F. Boyce shall make his personal appearance before the District Court of Travis County, now in Session at the City of Austin to answer to an Indictment preferred against him by the Grand Jurors of Travis County at the Spring Term of said Court, A. D. 1867, for an Assault with intent to kill and murder, and there remain from day to day and from Term to Term thereafter until discharged by due Course of law from said Indictment, otherwise this Recognizance is to remain in full force and effect.

And now on this day Came and appeared in open Court the Grand Jury of Travis County, duly elected, empannelled and Sworn for the present term of this Court and through their foreman, Jas. P. McKinney presented to the Court the following Bills of Indictment to wit.

1824 State of Texas vs Philip Golden — an Assault.
1825 Same vs Patrick O'Brian & Chas. Smith — Theft of Books
1826 Same vs Same — Theft of a pistol
1827 Same vs Washington Hammett — Theft of a Bay steer —
1828 Same vs Hiram Howard — Theft
1829 Same vs Thomas K. Milles — Murder
1830 Same vs Dave Rishes — an Assault —
1831 Same vs John Glapcock & Byron Glapcock — an Assault with intent to kill and murder

Whereupon said Grand Jury through their foreman, James P. McKinney, Suggested to the Court that there was no further business before them, therefore it is ordered that said Grand Jury be discharged.

1627 State of Texas vs John Burleson Jr. Now on this day comes the District attorney and enters a Nolle Prosequi in this case, it therefore Considered by the Court that this cause be dismissed and that the defendant go hence without day fully discharged from said indictment.

× And thereupon it is ordered by the Court that a fine of ten dollars be entered against Geo. W. Harris for smoking in upon the Court Room while Court was in Session, and that he stand Committed to the Custody of the Sheriff until said fine and Costs are paid — aforesaid except Costs.

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1604 The State of Texas vs. S.G. Sneed et als- Now comes the District Court and files an application stating that the witness J. Philips is a material witness in this cause, and asks that he be fined for failing to appear in obedience to the subpoena served upon him, and it appearing that said witness has been duly subpoenaed, after being called and not appearing. It is considered by the Court that the said J. Philips witness in the above cause, be fined in the sum of fifty Dollars, and that Scire facias do issue to him returnable to the next term of this Court, Commanding him then and there to appear and show cause if any he can, why this judgment should not be made final against him as aforesaid and all attachments awarded and Cause continued by the State.

1604 State of Texas vs. S. G. Sneed et al, - Now comes the District attorney and files a written application stating that the witness Wm. M. Gilleland is a material witness in this ~~xxxx~~ cause, and asks that he be fined for failing to appear in obedience to the subpoena served upon him, and it appearing that said witness has been duly subpoenaed, after being called and not appearing. It is considered by the Court that the said Wm. M. Gilleland witness in the above cause, be fined in the sum of fifty dollars, and that Scire facias do issue to him, returnable to the next term of this Court, Commanding him then and there to appear and show cause if any he can why this judgment should not be made final against him as aforesaid and attachment awarded and cause continued by the State.

1604 The State of Texas vs S G Sneed et al. Now comes the District Attorney and files a written application stating that the witness Wm Gibson is a material witness in this cause and asks that he be fined for failing to appear in obedience to the Subpoena served upon him, and it appearing that said witness has been duly subpoenaed, after being called and not appearing. It is Considered by the Court that the said Wm Gibson witness in the above cause, be fined in the sum of fifty dollars, and that Scire facias do issue to him returnable to the next term of this Court, Commanding him then and there to appear and show cause if any he can why this judgment should not be made final against him as aforesaid, and attachment awarded and cause continued by the State.

1603 The State of Texas vs Thomas Warren. Now comes the District Attorney and enters a Nolle Prosequi in this cause. It is therefore considered by the Court that this cause be dismissed and that the said defendant Thomas Warren go hence without day fully discharged from said indictment.

1628 State of Texas vs John B. Perry - Now comes the District attorney and files a written application, stating that the witness James Wright is a material witness in this cause

and asks that he be fined for failing to appear in obedience to the Subpoena Served upon him and it appearing that said witness has been duly Subpoenaed ofty being called and not appearing, It is Considered by the Court that the said James Wright, witness in the above cause, be fined in the Sum of fifty dollars, and that Scire facias do issue to him, returnable to the next term of this Court, Commanding him then and there to appear and Show Cause if any he can, why this judgment Should not be made final against him as aforesaid, and cause continued by the State.

1824 State of Texas vs. Philip Golden. Now on this day appeared in open Court, J. M. Farley, witness in the above cause and acknowledged himself to owe and be indebted unto the State of Texas in the Sum of Two hundred dollars, to be levied upon his goods and Chattels, Lands and tenements but to be void nevertheless upon condition that the said J. M. Farley shall make his personal appearance before the District Court of Travis County, now in Session, and there remain from day to day and from term to term thereafter, to testify and give evidence in the above cause, and that he do not depart without leave of said Court - otherwise this recognizance shall remain in full force and effect.

1815 State of Texas vs. Dick Miller - It is ordered by the Court that a Special Venire issue in this cause for fifty men, returnable on Tuesday next -

1822 State of Texas vs. John Alexander & Thomas Matlock -
It is ordered by the Court that a Special Venire issue for fifty men, in this cause, returnable on Tuesday next -

2033. M. C. Hamilton, Plaintiff, March 7th 1867.
vs.
James A. Rice, Defendant.

In this cause appeared the parties Plaintiff and defendant by their attorneys and waived a Jury and Submitted the matters in controversy to the Court, and by agreement of parties. It is ordered, adjudged and decreed by the Court that the Plaintiff Morgan M. Hamilton, do have and recover of and from the defendant James A. Rice, the tract of land in controversy which is described in the Plaintiff's petition as follows: one third of a league of land, situate, lying and being in the North side of Brushy Creek in Williamson County and described by the Survey thereof as follows: viz: Beginning on the North bank of Brushy Creek on the South East Corner of Survey No. 30 a stake from which an elm bears North 45° W. 2 varas another elm bears North 26° E. 2 varas. Thence North 15° E. with the East line of Survey No. 30. 411 varas, and a stake for the North West Corner, an elm bears South 75° E. 70 varas.

Thence South 80 E. 2017 varas and set a stake for the North East Corner. Thence South 10 W. 4124 varas to a stake on the bank of Brushy Creek for the South East Corner. a Cottonwood bears S. 65 E. 7 varas, a Pecan bears N 8 E. 7 varas. Thence with the meanders of Brushy Creek up to the place of beginning. It is further ordered, adjudged and decreed by the Court that a writ of Possession issue to the Sheriff or other lawful officer of Williamson County, directing and requiring him to dispossess and eject said defendant and all persons claiming or holding under him, from said land save and except William B. Burdill and all persons claiming under said Burdill, and to place and put said Plaintiff in Possession of the same. It is further decreed that this judgment and decree is in no wise to affect the right title or interest of William B. Burdill, or any one claiming or holding under him, in or to that portion of the aforesaid third of a league of land that is now in litigation in this Court in the suit No. 2036, wherein W. B. Burdill is Plaintiff and M. C. Hamilton and Bartlett Simms are defendants, in which said suit, the said W. B. Burdill claims Six hundred and forty acres of land. It is further ordered, adjudged and decreed by the Court, that the defendant James C. Rice do have and recover of and from the Plaintiff M. C. Hamilton, all the costs of this suit, for which execution may issue.

1725 The State of Texas vs. W. J. Custard - Now on this day come the parties to this cause, and the motion of defendant to quash the Indictment in this case, coming on to be heard, and after hearing the argument of Counsel, and having considered said Motion, the Court ovrs that the same be sustained. It is therefore considered by the Court that this cause be dismissed, and that the Defs Custard go hence fully discharged -

March 8th 1867.

2157 L. D. Carrington vs Edwin Walles, W. G. Johnson & J. A. Burdill.

Now comes the Plaintiff by his attorney and dismisses his said suit as to the defendant J. A. Burdill, and claims judgment final by default as to the other defendants, and it appearing to the Court that said defendants Edwin Walles and W. G. Johnson, have been duly served with process and have wholly made default, and that the Cause of action is liquidated and proved by the instrument of writing described in Plaintiffs petition, produced and shown to the Court, and a writ of inquiry having been awarded, came a Jury of twelve good and lawful men of Travis County, to wit: J. H. Herndon and eleven others, duly elected, empannelled and sworn, who after hearing the evidence returned into Court the following Verdict, to wit: "We the Jury find for Plaintiff in the Sum of $200.00 Principal & 102.66 interest 2.00 Protest fees - Total $304.66. J. H. Herndon, foreman"

It is therefore considered by the Court that the Plaintiff L. D. Carrington do have and recover of the said defendants Edwin Walles and W. G. Johnson the Sum of three

and four and 66/100 Dollars principal debt and interest to this date, with interest thereon at the rate of eight per cent per annum, together with all costs in this behalf expended for which execution may issue.

2657.

Wilson Green } Plaintiff } March 8th A.D. 1867.
vs.
James A. Rice & F. W. Chandler } Defendants } This day come the parties by their attorneys. And the defendants by their attorneys agree that the said defendants are justly indebted to the Plaintiff in the sum of Eight Hundred & thirty two dollars in Exc. United States legal tinder Treasury Notes and that said sum of money bears twelve per Cent interest, and that a trust deed was given on the 8th of July A.D. 1862 by defendant J. A. Rice to secure the payment of said sum of money on the following land, to wit. " Situated in Williamson County in said State 213/3 acres out of the Headright Survey of James A. Rice of 640 acres, lying on Brushy Creek the same being the South line of said Survey. The said 213/3 acres to be taken off the West side of said Headright so as to give to said Trustee, a Creek front of one third the width of said Headright Survey running back to the North line of said Headright for quantity."

It is therefore Considered by the Court that the Plaintiff do have and recover from the defendants the sum of eight hundred and thirty two dollars in United States legal tinder Treasury Notes principal and interest, with interest thereon from this date, at the rate of twelve per cent per annum, together with his costs in this behalf expended. And it is ordered, adjudged and decreed by the Court that the lien upon the above described tract of land, be and the same is hereby foreclosed, and that the Clerk of this Court do issue an order of Sale directed to J. H. Raymond Trustee in said Trust Deed, authorizing him to sell said land in accordance with the provisions of said Trust in front of the Court House door of Travis County, after first giving twenty days notice of time and place of sale as provided in said Trust Deed, and that the proceeds thereof, after first defraying the expenses of foreclosing said trust deed be applied to the payment of said Sum of $832, and the interest that may have accrued thereon, and the costs of this suit and if said land shall sell for more than enough to paly off said amounts, the said Trustee is hereby directed to pay over the excess to defendants, but if said land shall not sell for enough to pay off and satisfy the costs and expense of foreclosing said Trust deed and also for enough to satisfy this judgment, then the Clerk is directed to issue execution for the balance remaining unpaid.

It is ~~therefore~~ further ordered that if said Trustee shall

fail, neglect or refuse to carry out the provisions of said Trust deed in accordance with this judgment, as aforesaid then the Clerk of this Court upon being notified thereof by said Plaintiff or his Attorney of Record, shall issue an ~~execution~~ order directed to the Sheriff to carry the same into effect in accordance with this judgment.

Whereupon Court adjourned until tomorrow morning 9 o'clock.

Wednesday March 13th 1867. Court met at 9 o'clock A.M. pursuant to adjournment, present the same as on yesterday, whereupon the following proceedings were had by said Court, to wit:

And thereupon it is ordered by the Court that the following named persons who were Summoned to serve as jurors at this term of the Court, and failed to appear in obedience to the Summons, be fined in the sum of fifty dollars each, 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 should not be made final against them as aforesaid, to wit: J.W. Darlington, Richard King and B.C. Brown.

1773. State of Texas vs. Baker & Krohn } The orders heretofore
1774 Same vs Same } entered in these cases
1775. Same vs. Same. } Continuing the same,
having been entered through mistake, It is ordered by the Court that said entries, Continuing the above three Causes be and the same are hereby set aside.

1766. The State of Texas vs. Hankey-
Now comes the District Attorney in behalf of the State and files a written application stating that the witness Tom Eanes is a material witness in the above cause and asks that he be fined for failing to appear in obedience to the Subpoena Served upon him, and it appearing that said witness has been duly Subpoenaed, & [illegible] being Called & not appearing, it is Considered by the Court that the said Tom Eanes as witness in the above cause be fined in the Sum of fifty dollars, and that Scire facias do issue to him returnable to the next term of this Court, Commanding him then and there to appear and show cause if any he can, why this judgment should not be made final against him aforesaid and cause Continued and Attachment awarded-

1763 The State of Texas, vs. Hankey- Now comes the Distrct Attorney and files a written application, stating that the witness Tom Eanes is a material witness in this cause and asks that he be fined for failing to appear in obedience to the

subpoena served upon him, and it appearing that said witness has been duly subpoenaed, after being called and not appearing it is considered by the Court that the said Tom Eanes, witness in the above cause be fined in the sum of fifty dollars, and that scire facias do issue to him returnable to the next term of this Court, Commanding him then and there to appear and show cause if any he can, why this judgment should not be made final against him as aforesaid, and attachment awarded and cause continued -

1727 State of Texas V Dan Morris and Ben Hinds. Now comes the District Attorney in behalf of the State and files a written application Stating that the Witness Thomas Eans is a material witness in this Cause and asks that he be fined for failing to appear in obedience to the Subpoena served upon him, and it appearing that said witness has been duly subpoenaed, after being called and not appearing it is Considered by the Court that said Thomas Eans witness in the above cause be fined in the Sum of fifty dollars and Scire facias do issue to him returnable to the next term of this Court Commanding him then and there to appear and show cause if any he can why this Judgement should not be made final against him as aforesaid, and attachment awarded and Cause Continued.

1752. State of Texas V John Comer. Now comes the District Attorney in behalf of the State and files a written application Stating that the Witness Thomas Eans is a material witness in this Cause and asks that he be fined for failing to appear in obedience to the Subpoena served upon him, and it appearing that said witness has been duly subpoenaed, after being called and not appearing it is Considered by the Court that said Thomas Eans witness in the above cause be fined in the Sum of fifty dollars and Scire facias do issue to him returnable to the next term of this Court Commanding him then and there to appear and show cause if any he can why this Judgement should not be made final against him as aforesaid, and attachment awarded and Cause Continued.

1756. State of Texas V. Ben Hinds, Tom Bowles, Ed Gordrich and Albert Roberts. Now come the District Attorney in behalf of the State and files a written application Stating that the Witness Thomas Eans is a Material witness in this Cause and asks that he be fined for failing to appear in obedience to the Subpoena served upon him and it appearing that said witness has been duly subpoenaed after being called and not appearing it is considered by the Court that said Thomas Eans witness in the above Cause be fined in the sum of fifty dollars and that Scire Facias do issue to him returnable to the next term of this Court commanding him then and there to appear and show cause if any he can why this Judgement should not be made final against him as aforesaid and attachment awarded and Cause continued.

District Court Minutes, Wednesday 4th Term, March 13th 1867

1754. State of Texas V. Brukerhoff. Now comes the District Attorney in behalf of the State and files a written application stating that James B. Cassidy is a material witness in this cause and asks that he be fined for failing to appear in obedience to the Subpoena Served upon him, and it appearing that said witness has been duly subpoenad after being called and not appearing it is Considered by the Court that said James B. Cassidy ~~be~~ witness in the above cause be fined in the sum of fifty dollars and that Scire Facias do issue to him returnable to the next term of this Court Commanding him then and there to appear and show cause if any he can why this Judgement should not be made final against him as aforesaid, and attachment awarded and Cause Continued.

1807. The State of Texas vs. Chester Williams

Now on this day comes the District attorney in behalf of the State, and the defendant in person and by attorney, and the Motion to quash the indictment in this case coming on to be heard, and argument of Counsel being heard upon said motion, and the same being duly considered by the Court, the same was overruled - Whereupon the defendant pleads "not guilty" then came a Jury of twelve good and lawful men of Travis County, to wit: J. H. Herndon and eleven others, duly elected, empannelled and Sworn, who after hearing the Indictment read, the evidence adduced, the argument of Counsel and Charge of the Court retired to Consider of their Verdict, and after due deliberation returned into Court the following verdict, to wit: "We the Jury find the defendant guilty and assess his punishment at four years in the State Penitentiary - J. H. Herndon, foreman"

Whereupon said defendant Chester Williams was remanded to jail to await his sentence -

1764 State of Texas vs Hankey - Now come the parties to this Cause, and the motion of defendant to quash the Indictment in this Cause Coming on to be heard, and argument of Counsel being heard on said motion, and the same being duly considered by the Court, It is ordered the said motion be sustained. It is therefore considered by the Court that this cause be dismissed, and that the defendant go hence fully discharged -

1764 State of Texas vs A. G. Buddington. Now come the parties to this cause, the District Attorney in behalf of the State, and the defendant in person and by attorney and announced themselves ready for trial, ~~x~~ the deft pleads not guilty Whereupon comes a Jury of twelve good and lawful men of Travis County, to wit: J. H. Herndon and eleven others duly elected empannelled and Sworn, who after hearing the indictment read, the evidence adduced, the argument of Counsel and Charge of the Court, retired to Consider

of their verdict and after due deliberation returned into Court the following verdict, to wit. "We the jury find the deft. guilty and assess his fine at fifty dollars. J. A. Herndon, foreman." It is therefore considered by the Court that the State of Texas do have and recover of the defendant A. G. Buddington the sum of fifty dollars and all costs of this prosecution and that he stand committed to the County Jail until said fine and costs are paid.

1622 State of Texas vs. Michel - Continued and alias capias ordered.
1624 Same vs Wm. Thompson - Continued and alias capias ordered.
1637 Same vs Celia Stanley - Continued for service.

1041 State of Texas vs. John Conner - Now comes the District Attorney in behalf of the State and files a written application stating that Jas. M. Swisher is a material witness in this cause, and asks that he be fined for failing to appear in obedience to the subpoena served upon him and it appearing that said witness has been duly subpoenaed, after being called and not appearing. It is considered by the Court that said Jas. M. Swisher, witness in the above cause, be fined in the sum of fifty dollars and that scire facis do issue to him, returnable to the next term of this Court commanding him then and there to appear and show cause if any he can why the judgment should not be made final against him as aforesaid and attachment awarded and cause continued.

1299. Mary P. Glascock Administratrix of the Estate of Thomas Glascock vs. George W. Glascock and ~~Thomas~~ Maltzkie: In Dist. Court March [illegible]

And now at this day Comes Mary P. Glascock Administratrix of the Estate of Thomas Glascock Deceased, and Suggest the death of the former Plaintiff and Administrator Francis Dietrich and asks that she be allowed to make herself party Plaintiff in said Cause which was allowed to her and thereupon come both the parties Plaintiff and Defendant above named and asked and obtained leave of the Court to file amended pleadings respectively, and thereupon the parties by their attorneys announced themselves ready for trial in said Cause, and by Agreement a Jury was waived and all the matters in Controversy were submitted to the Court and the Plaintiffs exception to the Defendants answer & the Amendments thereto, Coming on to be heard it is ordered by the Court that so much of said exceptions as objects to the answer on account of its setting up debts due by the Plaintiffs Intistate to the Defendant Glascock, or that refers to fraudulent acts of Dietrich Adms against his Intistate be sustained and that the remaining exceptions of the Plaintiff be overruled. The Plaintiff then called the attention of the Court to his pleas in bar of former adjudication and moved that the Court proceed to pass upon the matters raised by such pleas and thereupon the Court declined at that time to pass upon the pleas and the whole matter both of law & facts with all the pleadings, the evidence, the Argu-

nt of Counsel thereon, being submitted to the Court, and it appearing to the Court, that the Plaintiffs Cause of action is sufficient in Law and sustained by the evidence. It is ordered adjudged and decred that the said Plaintiff Mary P. Glascock as administratix of the Estate of Thos Glascock Deceased having shown a gord title to an undivided half interest in the South half of Lot Number four in Block Number Sixty nine (69) in the City of Austin in Travis County do have and recover of and from the said George W. Glascock and the said L. Malitsky, who is but the tenant of said Geo W. Glascock and disclaims all the title to the property in Question an Undivided half interest in the South half of said Lot No 4 (four) in Block 69 (Sixty Nine) in said City of Austin, and that all the necessary writs to place the said Plaintiff in the possession and enjoyment of her right and interest in said property do issue against the said Geo W. Glascock and the said Malitzkie and all other persons claiming under, by, or through the said George W. Glascock, and it further appearing to the Court, that the said Defendant, George W. Glascock has also a gord title to one undivided half interest in the South half of said Lot Number four in said Block Sixty nine in said City of Austin, heretofore herein described and set forth, and it further appearing to the Court that the said Defendant, George W. Glascock has been in the use and receipt of the entire rents for the whole of the said South half of said Lot above described, since 29th of May 1855, and it also appearing to the Court that one half of said rents are the property of the said Plaintiff, which half amounts to the sum of twenty five hundred dollars (No rent being allowed the Plaintiffs as against the Defendant from 1st of January 1862 until 1st June 1865) and it appearing to the Court that as against the said Rent the Defendant, is entitled to a credit for the Amount paid by him in Satisfaction of the lien in said property held by the Judgement in the Case of Raymond Vs. Moore et als, which with interest on the same up to the time of the tender of Plaintiffs amounted to the sum of Three Hundred and twenty dollars, for which the Defendant, G. W. Glascock is entitled to a credit, and it also appearing that he has put permanent and valuable improvements on the property of the value of One hundred and fifty dollars (the Court not regarding the other improvements testified to as being permanent or valuable in their character) with the half of which to wit: the sum of Seventy five dollars, the said plaintiff is justly chargeable which sums reduce the amount of rents to the sum of two thousand one hundred and five dollars ($2105), which amounts is justly due from the said Defendant George W. Glascock, to the said Plaintiff and it is therefore considered by the Court that the said Plaintiff Mary P. Glascock as Administratrix aforesaid do have and recover of and from the said Defendant George W. Glascock the sum of two thousand one hundred and five dollars ($2105) for which execution may issue and also for all the Costs of this suit. And it further appearing to the Court that it is desirable that there should be a partition of said property and it further appearing that the said realestate above described is incapable of division without a great depreciation of the value of the value of said property, in order then that the same may be equally divided between the said Plaintiff, Mary P. Glascock Administratrix as aforesaid and the said Defendant George W. Glascock, It is ordered by the Court that the Sheriff of Travis County, shall proceed as near as he can under the rules governing Sheriffs Sale as to advertisement and

~~and~~ time and place of Sale, to sell the whole of said South half Lot Number four in Block Sixty nine in said City of Austin public on the following terms, one half of the purchase money to be paid down in Cash, and the note of the purchaser for the balance to be taken payable twelve months after date with good personal security to be approved by the said Sheriff together with a lien expressly reserved in the deed on the property sold, the entire proceeds of said sale to be equally divided by the said Commissioner between the said Plaintiffs and the said Defendant George W. Glascock and he making the purchaser at the time of the sale a deed to said property and putting him in possession of the same and returning a full report of his proceedings under this decree to this said Court and the Defendant Geo W. Glascock in open Court gave notice of an appeal to the Supreme Court of the State.

2005 ✓

John J. Miller, Plaintiff
vs.
Owen O'Brien &
Mary O'Brien, Defendants

March 7th 1867.

And now on this day come the parties to the above entitled cause by their Attorneys and announced themselves ready for trial, whereupon came a Jury of twelve good and lawful men of Travis County, to wit. J. H. Watkins and eleven others, who 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 the property in controversy in this suit, at the time of the levy and sale thereof a part of the Homestead of Owen O'Brien and his wife & therefore find for Defendants. J. H. Watkins, for Jury."

It is therefore Considered, ordered adjudged and decreed by the Court that the Plaintiff John J. Miller take nothing by his said, that the deed from S. M. Blackwell Sheriff of Travis County Texas, to said Plaintiff, dated September 6th 1859 to the West one half of Lot Number 12 in Block Number Eighty three in the City of Austin Travis County Texas, and the deed from said Blackwell to said Plaintiff, dated January 3rd 1860 to the West one half of Lot Number 11 in Block number Eighty three in said City of Austin, be and the same are hereby set aside Cancelled and ~~held for~~ annulled, and that said defendants, Owen O'Brien and Mary O'Brien be quieted in their title and possession of the property in controversy in this suit. And it is further ordered adjudged and decreed that said defendants do have and recover of and from said Plaintiff all the costs in this suit expended for which execution may issue.

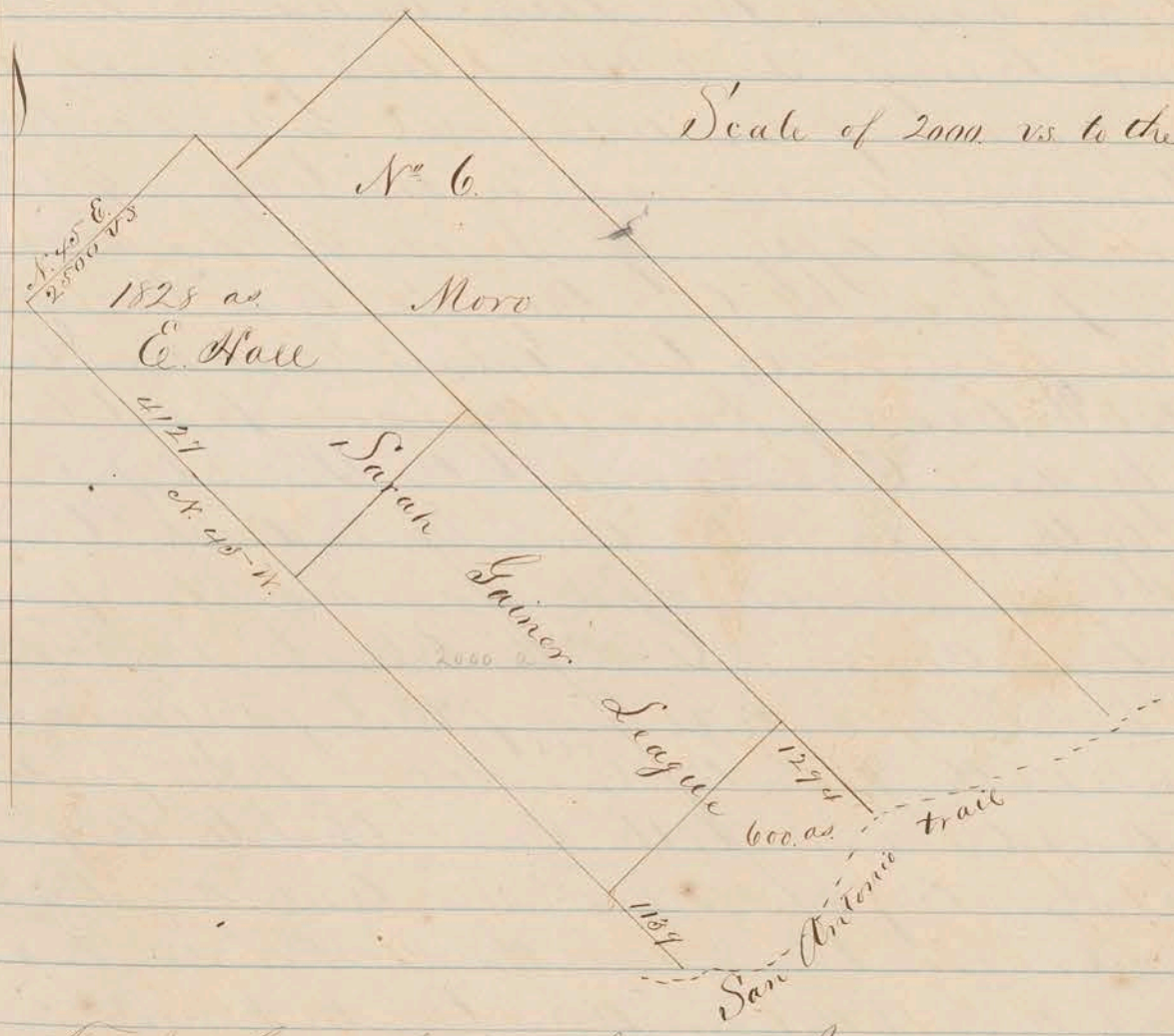
1339 ✓

Robert Williamson et al
vs.
Stephen H Blunt, J B Johnson, and three unknown heirs et al

In this case appeared the Plaintiffs by their Attorney and submitted to the Court the Commissioners'

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Report of their partition of the League of land in Controversy in this suit, the field notes of which are set out in Plaintiffs' petition, which division and partition and report of said Commissioners is in obedience to an order and decree of this Court made at the Spring Term 1866, and in accordance with the judgment, order and decree of this Court rendered in this cause at the Spring term 1860. and the same having been examined by this Court, and it appearing to the satisfaction of the Court that said division and partition of said land is strictly in accordance with the judgment order and decree of the Court rendered in this cause at the Spring term 1860. and the order of partition made at the Spring term 1866 of this Court, and in all things correct, which report of said Commissioners, containing the plat, description and field notes of each subdivision is in the words and figures following:



To the Hon: Judge John Ireland, Judge of the District of Texas.

The undersigned Commissioners appointed at Spring term 1866 of Your Hon. Court in the Cause of Robert Williamson et als & S.M. Blunt et al. B Johnson, to partition the Sarah Gaines Survey — Submit the following report — To E. Hall 1828 as (the number of acres fixed as said Halls part by said decree) the North end of said Gaines Survey — The field notes will read as follows: Beginning at the North corner of said Survey at "A" a stake and mound in the prairie. Thence S 45 W 2500 vs to a stake and mound the most Western corner of said Survey. Thence S 45 E with a line of said Survey 4127 vs a stake and mound from which a mesquite 6 in. brs N 67 E 130 vs and a ditto 10 in. brs N 58 E 120 vs. Thence N 45 E 2500 vs to a stake and mound on a line of said Survey — a mesquite 6 in. brs S 87 E 430 vs & a Hackberry 9 in. brs N 21 E 90 vs. Thence N 45 W 4127 vs to the place of beginning —

To Robert Williamson L. P. Adams & Moreton 600 Acres (being the number of acres fixed by said decree as their part)

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fronting on the San Antonio trail. The field notes will read as follows. Beginig at the most Eastern Corner of said survey at a Stake from which a mesquite 6 inches N 33 E 53 Varas and a ditto 12 in dia N 52 W. 120 Varas, Thence with the meanders of Sarah Gainer Survey along the San Antonio Trail 6 a Stone mound and South Corner of said Gainer Survey. Thence N 45 W. 1139 Varas a Corner in the prairie Thence N 45 E 2500 Vs. 6 Stake on a line of said Gainer Survey. Thence S. 45 E. 1294 Vs. 6 the place of beginig. M. L. D. Luckett one of the Commissioners acted as Surveyor. Surveying fee one hundred & five dollars.

L. D. Luckett - Comr.

J. J. Sneed.

It is therefore ordered, adjudged and decreed by the Court that the defendants, Stephen W. Blunt Jos B. Johnson and all their vendees and their unknown heirs and the unknown heirs of said Blunt and Johnson, and the unknown owners of an undivided interest in the tract of land granted to Augustus Phelps, assigne of Sarah Gaines and set out in Plaintiffs' petition, be and they are, by virtue of this decree divested of all right, title, interest or claim in or to the aforesaid 1828 acres of land, divided, partitioned and set apart by said Commissioners to the Plaintiff E. Hall, as defined by the field notes, and Meets and bounds set out in the Commissioners report and made a part of this judgment and decree. And the title to said 1828 acres of land, is hereby and by virtue of this judgment and decree fully vested in the Plaintiff E. Hall. It is further ordered adjudged and decreed by the Court, that the defendants Stephen W. Blunt, Jos B. Johnson, and all their vendees and their unknown heirs, and the unknown heirs of the said Blunt and Johnson, and the unknown owners of an undivided interest in the two tracts of one thousand acres each, in the league of land granted to Augustus Phelps assigne of Sarah Gaines, and set out in Plaintiffs petition, be and they are by virtue of this decree divested of all right, title, interest and claim, in and to the six hundred acres of said league of land, divided, partitioned and set apart by said Commissioners to the Plaintiffs Robt Williamson, L. P. Adams, M. Usselton under the firm name of Williamson Adams & Co. the field notes and meets and bounds of which are above set out in said Commissioners Report and made a part of this judgment and decree, and the title to said six hundred acres of land is hereby and by virtue of this decree fully vested in the Plaintiffs, Robt Williamson, L. P. Adams and M. Usselton, under the firm name of Williamson Adams & Co.

It is further ordered, adjudged and decreed by the Court that the Commissioners L. D. Luckett and J. J. Sneed be allowed the sum of one hundred

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and five dollars for their Services in making the partition of the League of land in Controversy in this Suit, and that the same be taxed in the bill of costs in this Suit

It is further ordered adjudged and decreed by the Court that the Plaintiffs Robt Williamson, L P Adams, and M. Upshaw, under the firm name and Style of Williamson, Adams & Co. and E. Hall do have and recover of and from the defendants Stephen H. Blunt and Jas B. Johnson and all their vendees and their unknown heirs and the unknown heirs of said Blunt and Johnson one half of all the Costs of this Suit for which execution ipse.

It is further ordered, adjudged and decreed by the Court that the defendants Stephen H. Blunt and James B. Johnson and all their vendees and their unknown heirs and the unknown heirs of said Blunt and Johnson do have and recover of and from the Plaintiffs Robt Williamson, L. P. Adams, and M. Upshaw under the firm name of Williamson, Adams, & Co. and E. Hall, one half of all the Costs of Suit, for which execution may ipse. Up the amount that any one of them may have paid

1667. The State of Texas V. Keller. } Now Comes the District Att.
1668. The State of Texas V. Keller. } ney in behalf of the State and files
1670 The State of Texas V. Keller. } a written application in each of the above Causes Stating that Brauner is a material witness in each of said Causes and asks that he be fined for failing to appear in obedience to the Subpoenas Served upon him, and it appearing that said witness has been duly subpoenaed after being called and not appearing it is Considered by the Court that the said Brauner witness in the above Causes be fined in the Sum of fifty dollars in each of the above causes and that Scire Facias in each case do issue to him returnable to the next Term of this Court Commanding him then and there to appear and show Cause if any he can why this Judgement should not be final against him as aforesaid and Attachments awarded and Cases Continued.

1687 State of Texas V. John Comer. Now Comes the District Attorney in behalf of the State and files a written application Stating that George Haynie is a material witness in this cause and asks that he be fined for failing to appear in obedience to the Subpoena Served upon him, and it appearing that said witness has been duly subpoenaed after being called and not appearing it is Considered by the Court that the said ~~Geo Brauner~~ George Haynie witness in the above cause be fined in the Sum of fifty dollars in the above cause and that Scire Facias do issue to him returnable at the next Term of this Court, Commanding him then and there to appear and show cause if any he can why this Judgement should not be made final against him as aforesaid and attachment awarded and Cause Continued.

1687 State of Texas V. John Comer. Now comes the District Attorney in behalf of the State and files a written application stating that Alen Musgrove is a material witness in this cause and asks that he

District Court Minutes, Wednesday Spring Term, March 13th 1867

be fined for failing to appear in obedience to the Subpoena served upon him and it appearing that said witness has been duly subpoenaed & he being called and not appearing it is considered by the Court that the said Allen Musgrove in this in the above cause be fined in the sum of fifty dollars and that Scire Facias do issue & him returnable to the next term of this Court, Commanding him then and there to appear and show Cause if any he can why this Judgement should not be made final against him, Attachment awarded and cause continued.

Whereupon Court Adjourned until tomorrow morning at 9 O'Clock.

Thursday March 14th 1867. Court met at 9 O'Clock A.M. pursuant to Adjournment, present the Same as on yesterday whereupon the following proceedings were had & Viz:

1827. The State of Texas v. Washington Hammit. On this day appeared in open Court Washington Hammit as Principal and L. Brown and J. R. Billingsly as his Securities and acknowledged themselves to owe and be indebted unto the State of Texas, in the Sum of two thousand Dollars each to be levied upon their respective Goods and Chattles Lands and tenaments but to be void nevertheless upon condition that the said Washington Hammet make his personal appearance before the District Court of Travis County now in Session and there remain from day to day, and from Term to Term of said Court to answer to an Indictment prefered against him by the Grand Jurors of Travis County at the Spring Term A.D. 1867 for Theft and that he do not depart the Court without Leave, otherwise this recognizence will remain in full force and effect.

2611 M.C. Hamilton vs. E.S. Giles & Wade Henry - March 8th 1867

This Cause being called, comes the Plaintiff by attorney and the Defendants come not, but Make default, and it appearing to the Court that said defendants have been duly served with proces, and that the cause of action is liquidated and proved by the instrument of writing set out in Plaintiff's petition, It is therefore Considered by the Court that the Plaintiff M.C. Hamilton, do have and recover of the defendants E.S. Giles and Wade Henry the Sum of Six hundred and twenty two and 82/100 Dollars, principal debt and interest to date, with interest thereon at twelve per cent per annum until paid, and all costs in this behalf expended for which execution may issue.

1597 State of Texas vs. Goodman - It is ordered by the Court that A.M. Eichelberger Sheriff of Hays County be fined in the Sum of One hundred dollars for making a false return on an attachment directed to him from this Court Commanding him to attach Juan Duevido, John Hughes, Dulo Gonzales and [illegible] Rowley and bring them before this Court; and for failing to do his duty in executed said Attachment upon said witnesses, and

District Court Minutes, Thursday, Spring Term, March 14th 1867.

Scire facias do issue to him returnable to the next term of this Court, commanding him then and there to appear and show cause if any he can, why this judgment should not be made final against him as aforesaid.

1597. State of Texas vs. Goodman - Now on this day come the parties to this suit, the District Attorney in behalf of the State and the defendant in person and by attorney, and announced themselves ready for trial, whereupon the defendant pleads "not guilty" then came a Jury, to wit: J. H. Herndon and eleven others, who after hearing the evidence, 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 the defendant not guilty - J. H. Herndon, foreman."

It is therefore considered by the Court that the defendant go hence without day, fully discharged from said indictment.

1640. State of Texas vs. John Connes -

This cause being called for trial, Jas. M. Swishes failing to appear and testify in this case, he being distinctly called at the door of the Court House of Travis County, and the said witness, after a reasonable length of time still failed to appear, and it appearing to the Court that the said Jas. M. Swishes, did enter into Recognizance in open Court on the 21st day of November 1866, payable unto the State of Texas in the sum of one thousand dollars Conditioned that he, the said Jas M Swishes make his personal appearance at the District Court of Travis County, ~~now~~ then in session and there remain from day to day and from term to term of said Court, then and there to testify and give evidence in the above cause, and that he do not depart the Court without leave, Which said Recognizance is forfeited. And it is Considered by the Court that the State of Texas do have and recover of the said Jas. M. Swishes, the said sum of one thousand dollars, and that this judgment will be made final unless good cause be shown at the next term of this Court why the said Jas. M. Swishes, did not appear & further ordered that Citation issue to the said Jas. M. Swishes, and attach awarded and Cause Continued.

1663 State of Texas vs. Perry - Continued.

1767 State of Texas vs. Hankey - Now comes the Distrct atty. and enters a Nolle prosequi in this cause. It is therefore Considered by the Court that this cause be dismissed, and that defendant go hence fully discharged.

Whereupon Court adjourned till tomorrow morning 9 o'clock.

Friday March 15th 1867 Court met at 9 o'clock A.M. pursuant to adjournment present the same as on yesterday - whereupon the following proceedings were had, to wit:

District Court Minutes, Friday Spring Term, March 15 1867.

1808 The State of Texas vs. Richard Cole -

Now comes the District atty. in behalf of the State and the defendant in person and by atty and announce ready for trial, and the pleading not guilty comes a jury of good and lawful men, to wit. G. C. Kirk and eleven others who after hearing the pleadings, the evidence the argument of Counsel and Charge of the Court retired to consider of their verdict, and returned into Court the following verdict, to wit. "Dist. Jury Room March 16/67. We the Jury find the Defendant not guilty G. C. Kirk foreman." It is therefore considered by the Court, that the Defendant Richard Cole, go hence without day fully discharged from said indictment.

1751 State of Texas v. A. N. Barnes.

Now Comes the Distrct atty, and files a written application, stating that Jas. B. Cassidy is a material witness in this cause and asks that he be fined for failing to appear in obedience to the Subpoena served upon him, and it appearing that said witness has been subpoenaed, often being called and not appearing, It is considered by the Court that the said Jas. B. Cassidy witness in the above cause be fined in the sum of fifty dollars and that Scire facias do issue to him returnable to the next term of this Court, Commanding him, then and there to appear and show cause if any he can why this judgment should not be made final against him as aforesaid, and Attachment awarded and cause continued.

1619 State of Texas vs Joe Lucksinger -

Now Comes the Distrct atty and files a written applicalion stating that Benjamin Choat is a material witness in this cause, and asks that he be fined for failing to appear in obedience to the Subpoena served upon him, and it appear that said witness has been duly subpoenaed, often being called and not appearing. It is Considered by the Court, that the said Benjamin Choat witness in the above cause be fined in the sum of fifty dollars, and that Scire facias do issue to him, returnable to the next term of this Court, Commanding him then and there to appear and show cause if any he can, this judgment should not be made final against him as aforesaid, and Attachment awarded and cause continued.

Whereupon Court adjourned till tomorrow morning 9 o'clock

District Court Minutes, Saturday Spring Term, March 16th 1867

Saturday March, 16th 1867 Court met at 9 o'clock a.m. pursuant to adjournment. Present the Same as on yesterday, whereupon the following proceedings were had, to wit:

1810. The State of Texas vs. A. G. Buddington

Now come the parties to this suit, and the Motion to quash the indictment, coming on to be heard, and after hearing the argument of Counsel and duly considering said motion, It is ordered by the Court that the same be Sustained, and that said cause be dismissed and that the defendant go hence fully discharged.

1811 State of Texas vs. George Wilson - Now come the parties to this suit, and the motion to quash the indictment coming on to be heard, and the same being duly considered by the Court ~~was~~ is Sustained. It is therefore Considered by the Court that said cause be dismissed and that the defendant go hence fully discharged.

1813. State of Texas vs John Green, Continued for Service.

Whereupon Court adjourned till Monday morning 9 o'clock

Monday, March, 18th 1867, Court met at 9 o'clock a.m. pursuant to adjournment, Present the same as on Saturday, whereupon the following proceedings were had, to wit.

1816 The State of Texas vs. John Brown - Now come the District Attorney in behalf of the State, and the defendant in person and by attorney, and the motion to quash the indictment coming on to be heard the same was by the Court overruled - and thereupon the parties announced ready for trial, and the defendant pleading "not guilty", came a Jury of Good and lawful men, to wit, J. H. Herndon and Seven others, who after hearing the Indictment read, the evidence, 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 the defdt. guilty and ass his punishment at four years in the State Penitentiary - J. H. Herndon, foreman." It is therefore Considered by the Court that the defendant, John Brown be confined in the State Penitentiary at hard labor for the period of four years. And that he be remanded to jail to await Sentence.

1817. State of Texas vs John Jackson,

Continued for Service and for bail fixed at One hundred dollars.

District Court Minutes, Monday Spring Term, March 18th 1867.

1814 The State of Texas vs. John Tibaut.
6 Now come the parties this suit, the District Attorney in behalf of the State and the defendant in person, and by Attorney and announce ready for trial whereupon comes a jury of good and lawful men, to wit. J. H. Herndon and eleven others, who after hearing the indictment read, the evidence adduced, and the charge of the Court, retired to consider of their verdict, and returned into Court the following verdict, to wit. "We the jury find the defdt not guilty - J. H. Herndon foreman"
It is therefore considered by the Court, that the State of Texas take nothing by her suit, and that the defendant John Tibaut go hence fully discharged from said indictment.

1819 State of Texas vs Harve Bardill
Continued for service and bail fixed at three hundred dollars

1829 State of Texas vs Thomas K. Miller.
V Now comes the District Attorney and enters a Nolle prosequi in this cause, It is therefore considered by the Court, that this cause be dismissed, and that the defendant go hence fully discharged.

1818 - State of Texas vs A. F. Boyce - Now on this day came and appeared in open Court, J. M. Cain, P. E. George and Wm. Boyce, and acknowledged themselves to owe and be indebted unto the State of Texas in the sum of Two hundred dollars to be levied upon their respective goods and Chattles, Lands and tenements, but to be void nevertheless upon condition that they, the said Cain, George and Boyce, make their personal appearance at the next Term of this Court, and there remain from day to day and from time to time of said Court, then and there to testify and give evidence in the above cause, and that they do not depart thence without leave of said Court - otherwise this recognizance to remain in full force and effect.

1818. State of Texas vs A. F. Boyce - Now come and appear in open Court, Elisha Norwood and John Norwood, freedmen and acknowledge themselves to owe and be indebted unto the State of Texas, in the sum of fifty dollars each, to be levied upon their respective Goods and Chattels, Lands and tenements but to be void nevertheless upon condition that they the said Elisha Norwood and John Norwood, make their personal appearance at the next term of this Court, and there remain from day to day and from term to term of said Court, then and there to testify and give evidence in the above cause and that they do not depart thence without leave of said Court - otherwise this recognizance to remain in full force and effect.

1821 State of Texas vs Paul Cortes et al - Continued for service and bail fixed at $100 each.

District Court Minutes, Monday Spring Term, March 18th 1867.

1820 The State of Texas vs. John Donelson (freedman)

Now come the Parties to this suit, the District Atty. in behalf of the State, and the defendant in person and by Attorney and announce ready for trial and the defendant pleading "not guilty, comes a jury, to wit. J. H. Herndon and eleven others, who after hearing the indictment read, the evidence, 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 the defendant guilty of an aggravated assault & assess his fine at one hundred dollars - J. H. Herndon Foreman." It is therefore Considered by the Court, that the State of Texas do have and recover of the said defendant, John Donelson, the sum of One hundred dollars, and all Costs of this prosecution, and that he stand Committed to the County jail until said fine and costs are paid.

And thereupon it is ordered by the Court that a fine of five dollars be intered against John Glasscock for Contempt of Court - (by having his hat on in open Court) and that he stand committed to the custody of the Sheriff until said fine and costs are paid.
Above fine is remitted, except Costs -

1828. State vs. Hiram Howard (freedman) Continued on affidavit of deft.

1773 State of Texas vs. Baker & Rodhen.

Now on this day Comes the District Attorney in behalf of the State, and defendant Baker by attorney, and announced ready for trial, and the defendant by attorney, pleading "not guilty" Came a jury of good and lawful men, to wit. J. H. Herndon and eleven others duly sworn who, after hearing the Indictment read, the evidence, 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 the deft. guilty & assess his fine at fifty dollars. J. H. Herndon, Foreman" It is therefore Considered by the Court that the State of Texas do have and recover of the said defendant Baker, the sum of fifty dollars, and all Costs of this prosecution, and that he stand committed to the County jail until said fine and costs are paid.

1774 State of Texas vs. Baker & Rodhen.

Now comes the District Attorney in behalf of the State, and the defendant by attorney, and announced ready for trial, the defendant by his Attorney, pleading not guilty, comes a jury, to wit, J. H. Hutchins and eleven others duly sworn, who, after hearing the indictment read, the evidence adduced, the argument of Counsel and Charge of the Court, retired to Consider of their verdict

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and returned into Court the following verdict, to wit. "We the Jury find the defendant guilty & assess his fine at fifty dollars. - J. H. Hutchins, Foreman Jury." It is therefore considered by the Court, that the State of Texas do have and recover of the defendant Boker the sum of fifty dollars and all costs of this prosecution, and that he stand committed to the County Jail until said fine and costs are paid.

1775 State of Texas vs. Baker & Hooton

Now comes the District attorney in behalf of the State, and the defendant Baker by attorney, and announced ready for trial, and the defendant by attorney, pleading "not guilty" Comes a Jury, to wit. J. H. Herndon and eleven others, who, they sworn, & the, after hearing the indictment read, the evidence addduced, argument of Counsel, and Charge of the Court retired to consider of their verdict and returned into Court the following verdict, to wit. "We the Jury find the defendant guilty and assess his fine at fifty dollars - J. H. Herndon Foreman." It is therefore considered by the Court that the State of Texas do have and recover of the defendant Baker the sum of fifty dollars and all costs of this prosecution, and that he stand committed to the County Jail until said fine and costs are paid.

Whereupon Court adjourned till tomorrow morning 9 o'clock

Tuesday, March 19th 1867 - Court met at 9 o'Clock A.M. pursuant to adjournment, present the same as on yesterday whereupon the following proceedings were had, to wit.

1825. State of Texas vs. Patrick O'Brien & Charles Smith -

Now comes the District attorney in behalf of the State, and the defendant in person and by attorney and announced ready for trial, and the motion to quash being by the Court overruled, the defendant pleads "not guilty" then come a jury, to wit. J. H. Herndon and eleven others, who after hearing the indictment read, the evidence, 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 the defendant not guilty J. H. Herndon, Foreman" It is therefore Considered by the Court that the defendant Patrick O'Brien State of Texas take nothing by her Suit, and that said defendant Patrick O'Brien go hence without day fully discharged from said indictment.

1825 State of Texas vs. Patrick O'Brien and Chas Smith.

Now Comes the District attorney, and enters a Nolle prosequi in this cause as to Charles Smith. It is therefore Considered by the Court this cause be dismissed

and that said defendant Charles Smith go hence fully discharged.

1826. The State of Texas vs. Patrick O'Brien & Chas. Smith.

Now comes the District Attorney and enters a Nolle Prosequi in this case, It is therefore considered by the Court that said Cause be dismissed, and said defendants, O'Brien and Smith go hence fully discharged.

1831. ✓ The State of Texas vs. John Glasscock and Byron Glasscock.

Now on this day appeared in open Court, John Glasscock as principal and George Glasscock and William Glasscock and acknowledge themselves to owe and be indebted unto the State of Texas in the sum of Ten thousand dollars each, to be levied upon their respective goods and Chattels, Lands and tenements, but to be void nevertheless upon Condition that the said John Glasscock make his personal appearance at the next term of this Court, and there remain from day to day and from term to term of said Court, to answer to an Indictment preferred against him by the Grand Jurors of Travis County at the Spring Term of said Court, 1867 for an assault with intent to kill and murder Thos K. Miller and that he do not depart thence without leave of said Court - otherwise this recognizance to remain in full force and effect. and Cause Continued.

1830 ✓ State of Texas vs. Dave Rishes (freedman)

Now comes the District Attorney in behalf of the State, and the defendant in person and by attorney, and announced themselves ready for trial, and the defendant pleading guilty came a Jury, to wit: J. H. Herndon and eleven others, who, after hearing the Charge of the Court returned into Court the following verdict, to wit: "We the Jury find the defendant guilty & assess his fine at one dollar - J. H. Herndon"

It is therefore Considered by the Court, that the State of Texas do have and recover of the defendant, Dave Rishes the Sum of one dollar, and all Costs of this prosecution, and that he Stand Committed to the County jail until said fine and Costs are paid.

1828. ✓ State of Texas vs. Heiram Howard (freedman)

On this day appeared in open Court, Granville Grady, Dick Johnson and Isaac Jones (freedmen) and acknowledge themselves to owe and be indebted unto the State of Texas in the Sum of Twenty Five dollars each to be levied upon their respective goods and Chattels, lands and tenements, but to be void nevertheless upon Condition that they, the said Grady, Johnson and Jones make their personal appearance at the next term of this Court, and there remain from day to day and from term to term of said Court, to testify and give evidence in the above cause and that they

do not depart thence without leave of said Court, otherwise this recognizance to remain in full force and effect.

1812 — State of Texas vs. James Looney & Henry Cousins —

Now comes the District Attorney in behalf of the State, and the defendant Looney in person and by attorney, and thereupon the defendant by attorney excepts to the indictment in this cause, which being considered by the Court, It is ordered and adjudged that the exceptions be sustained as to the last Count in said indictment. And it is further ordered by the Court, that the State, by the District Attorney, shall elect as to the remaing Counts in said indictment. Whereupon the District Attorney elects to try on the first Count in said indictment. Thereupon the parties announce ready for trial, and the defendant pleading "not guilty" comes a jury to wit: J. H. Sheridan and eleven others, duly empanneled and sworn, who, after hearing the indictment read, the evidence adduced, 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 the defendant guilty and assess his punishment at two years in the State Penitentiary. J. H. Sheridan, Foreman." It is therefore considered by the Court, that the defendant James Looney be confined at hard labor in the State Penitentiary for the period of two years and that he be remanded to jail to await his sentence.

1812 — State of Texas vs. James Looney & Henry Cousins

Now comes the District Attorney in behalf of the State, and the defendant Henry Cousins in person and by Attorney, and announce themselves ready for trial, and the defendant pleading "not guilty" comes a jury of good and lawful men, to wit: D. H. C. Baker and eleven others, duly empanneled and sworn, who, after hearing the indictment read, the evidence, adduced argument of Counsel and Charge of the Court, retired to consider of their verdict, and returned into Court the following verdict, to wit: "We the jury find the defendant guilty, and assess his punishment at two years' imprisonment in the State Penitentiary. D. H. C. Baker— foreman."

Whereupon said defendant Cousins was remanded to jail.

1822. — State of Texas vs. John Alexander & Thos. Mallock.

On this day appeared in open Court Hesters Mann, Johnson Gilbert, Lewis Kemply, and Jerry Rogers (as bail) and acknowledge themselves to owe and be indebted into the State of Texas in the sum of Twenty five dollars each, to be levied upon their respective goods and

Chattels, lands and tenements, but to be void nevertheless upon condition that they make their personal appearance before this Court now in session, and there remain from day to day and from term to term, to testify and give evidence in the above cause and that they do not depart thence without leave of said Court. otherwise this recognizance to remain in full force and effect.

1822. The State of Texas vs. John Alexander & Thos. Mallock

On this day appeared in open Court, A. B. Burleson, and John C. Burleson and A. B. Burleson as the Natural guardian of the said John C. Burleson, and Jonathan Rogers and acknowledge themselves to owe and be indebted unto the State of Texas, in the Sum of One hundred dollars each, to be levied upon their respective Goods and Chattels, Lands and tenements but to be void nevertheless upon condition that they make their personal appearance before this Court now in Session, and there remain from day to day and from term to term of said Court ~~and~~ to testify and give evidence in the above cause, and that they do not depart thence without leave of said Court, otherwise this recognizance to remain in full force and effect.

Whereupon Court adjourned till tomorrow morning 9 o'clock

Wednesday, March 20th 1867. Court met at 9 o'clock A.M. pursuant to adjournment - present the Same as yesterday. Whereupon the following proceedings were had, to wit:

1809. State of Texas vs. Chester Williams.

Continued to await service in Penitentiary.

1823 State of Texas vs. David Kimbro -

On this day appeared in open Court G. A. Snider and acknowledge himself to owe and be indebted unto the State of Texas in the Sum of Two hundred dollars to be levied upon his Goods and Chattels, Lands and tenements, but to be void nevertheless upon condition that he the said Snider, make his personal appearance at this term of the Court, and there remain from day to day and from term to term to testify and give evidence in the above cause and that he do not depart thence without leave of said Court, otherwise this recognizance to remain in full force and effect. and defts bail fixed at $1000.

2373

Samuel Wilbanks, Plff. vs. Joseph Earl & W. H. Earl, Defts. And now at this day comes the parties by their attorneys, and announce themselves ready for trial and thereupon come a jury of good and lawful men, to wit: J. H. Herndon and eleven others, who being duly sworn and empannelled according to law, and having heard the pleadings read the evidence and the Charge of the Court, retired to consider their

verdict, and thereupon returned into Court the following verdict, to wit. "We the Jury find for the Plaintiff in the aggregate the sum of $721.36/100 dollars being amount of principal & interest due by defts on three several Notes (Signed) J. H. Kerndon, foreman." And it is thereupon considered by the Court, that the said Plaintiff Samuel Wilson, do have and recover of and from the said defendants Joseph Earl and T. H. Earl the sum of three thousand Seven hundred and twenty one 36/100 dollars ($3721.36) with interest thereon from the date of this judgment at the rate of ten per Cent per Annum, together with all the Costs of this suit, for all which Execution may issue.

2340. J. D. Davis vs. J. W. Parks - It is ordered that Jas. Highsaw have leave to intervene, and cause continued.

2342 J. D. McGary vs. A. C. & W. H. Hill -
Dismissed for want of prosecution. It is therefore considered by the Court, that the defendants A. C. Hill and W. H. Hill do have and recover of the said Plaintiff J. D. McGary all costs in this behalf expended for which execution may issue. Entered by mistake, and case reinstated -

Whereupon Court adjourned till tomorrow morning 9 o'clock.

Thursday, March 21st 1867. Court met at 9 o'clock a.m. pursuant to adjournment, present the same as on yesterday, whereupon the following proceedings were had, to wit:-

2347. Jas. H. Murray vs. John Hollander.
Now comes the Plaintiff by his attorney, and the defendants comes not but wholly makes default, and it appearing to the Court that said defendant John Hollander has been duly served with process. It is therefore considered by the Court that the Plaintiff Jas Murray do have and recover of the said defendant John Hollander the sum of Two hundred and thirty Seven and 50/100 Dollars principal debt and interest to this date with interest thereon at ten per Cent per annum until paid together with all costs in this behalf expended, for which execution may issue.

2348. Sewell, Harmon & Co. vs W. H. Morris & Chas. Schultz -
Continued for term.

2353. P. S. Williams vs Philip Jobe et als - Continued for term.

2354 Simon Loomis vs W. P. Mahon - Now comes the Plaintiff by attorney and asks judgment by default, and the defendant

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and the defendants comes not, but makes

2354. Simon Loomis vs. W. P. Maben.

Now come the parties to this suit by their attorneys and waive a jury, and submit the matters in controversy to the decision of the Court, and the evidence adduced and the matters of law arising thereon being considered, It is ordered adjudged and decreed by the Court that the Plaintiff Simon Loomis do have and recover of the defendant W. P. Maben the sum of Two Hundred and Seventy Nine 7 10/100 Dollars principal debt and interest to date with interest thereon at the rate of 8 Per Cent per annum until paid, together with all costs in this behalf expended for which execution may issue.

2355. Loomis & Christian vs. W. P. Maben.

Now come the parties to this suit by their attorneys and waive the right of trial by jury and submit the matters in controversy to the decision of the Court, and the evidence adduced, and the matters of law arising in said cause, being duly considered, It is considered ordered, adjudged and decreed by the Court that the Plaintiffs Simon Loomis and Ed. Christian do have and recover of the defendant W. P. Maben, the sum of One thousand Eight Hundred and Sixty three 7 6/100 dollars, principal debt and interest to date, with interest thereon at ten per Cent per annum, until paid; together with all costs in this behalf expended for which execution may issue.

2360. John Bremond vs. J. B. Hammett. Death of Plaintiff Suggested and cause continued to make parties

2366. H. W. Summis vs. W. W. Bridgers + als - Continued.

2368. Lewis Elgin vs. Wm. H. Blanton - Continued on affidavit of defts.

2372 R. M. Johnson vs. R. A. Rutherford - Continued by consent -

2375 W. M. Walton vs. S. H. Lockwood. Dismissed at Plaintiffs costs. It is therefore considered by the Court that the Plaintiff W. M. Walton pay all costs in this behalf expended for which execution may issue.

2377. W. A. Morris v. Andrew Kruger -

Now come the parties to this suit by their attorneys and announce ready for trial, whereupon came a jury, to wit: J. B. Banks and eleven others, who 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, principal and interest from the 1st day of January 1864 to 21st day of March.

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1867- Principal $ 152. 00- Interest 39.7/100 Total $ 191.7/100
J. B. Banks, Foreman." It is therefore considered by the Court that the Plaintiff W.A. Morris, do have and recover of the defendant Andrew Kruger, the sum of One Hundred and Ninety One 7/100 Dollars, with interest thereon at the rate of eight per Cent per annum until paid, together with all costs in this behalf expended, for which execution may issue.

2379 J.D.M Gary vs Rutherford, Johnson and Harrell- Now comes the Parties in this cause by their attorneys and move the Court to change the venue of this cause to Comal County, Texas. It is therefore ordered by the Court that the venue of this cause be changed to Comal County, it being the nearest County outside of the District- and that the Clerk of this Court make a transcript of all the entries in this cause and transmit the same, together with all the original papers therein to the Clerk of the District Court of Comal County- Texas. by reason of the disqualification of the Judge presiding.

2381 Thos F. McKinney vs. W. H. Simmons et als- Continued.

2384 J. H. Raymond vs A. Gregg- Dismissed by Plaintiff. It is therefore considered by the Court that the Plaintiff J. H. Raymond, pay all costs in this behalf expended for which execution may issue.

2391 S. M. Swenson, vs Chas. McKinney- Continued-
2399 Same vs. D. J. Nichols- Continued

2405- Charles Krohn vs. Atwood & Palm.

Now come the Parties to this suit by their Attorneys and announce ready for trial, whereupon come a Jury, to wit: J. H. Herndon, and eleven others, who after hearing the Pleadings, read the evidence, argument of Counsel, and Charge of Court, retired to consider of their verdict, and returned into Court the following verdict to wit. "We the Jury find for the Plaintiff in the Sum of $ 79 78/100 dollars it being principal $ 678. 00 interest 201.78 Total Amount $ 879.78. J. H. Herndon foreman" It is therefore considered by the Court that the Plaintiff Charles Krohn, do have and recover of the said defendants W. H. Atwood and A. B. Palm the Sum of Eight Hundred and Seventy Nine & 78/100 Dollars principal debt and interest to date, with interest thereon at the rate of eight per Cent per annum until paid, together with all Costs in this behalf expended for which execution may issue.

2411 A. H. Baines vs Jno Harrell- Continued by Plaintiff

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2380. James F. Ward vs. M. W. Townsend + James E. Rand — Plaintiff vs. Defendants

Now at this day come the parties by their attorneys and announce themselves ready for trial, and thereupon come a Jury of twelve good and lawful men, to wit: J. H. Herndon and eleven others, who being duly tried, empannelled and sworn according to law, and having heard the pleadings, the evidence, the argument of Counsel, and the Charge of the Court, retired to consider of their verdict, and thereupon returned into Court the following verdict, to wit: "We the Jury find for Plaintiff in the aggregate sum of 2623 95/100 dollars. Principal 2288.35 Interest 335.87 Total 2623.95 — J. H. Herndon, foreman."

And thereupon It is considered by the Court, that the said Plaintiff James F. Ward do have and recover of and from the said defendants M. W. Townsend and James E. Rand the sum of Twenty Six hundred and Twenty three and 95/100 Dollars, with interest thereon at the rate of eight per cent per annum from the date of this judgment, and all costs of suit, for all which execution may issue. And now comes Pfff and remits Seven hundred dollars on the above judgment.

2416. S. A. + Geo. W. Paschal vs. Wm. G. Lane + als, Continued

2408. John P. Key vs. W. B. Coffee + als —

Now comes the Plaintiff and also come the defendants W. B. Coffee and J. R. Ogilvie by their attorneys and the Plaintiff having announced ready for trial, the defendant Ogilvie moved for a Continuance of the Case, which motion being heard, is overruled by the Court: And the Plaintiff having dismissed his suit against the Admr of D. Hardeman, deceased, because there was no Service on him — thereupon Come a Jury, to wit: J. B. Banks, and eleven others, who after hearing the evidence, pleadings 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, principal $976.00, Interest 6 years 5 2/3 months 631.69, Total $1607.69 — J. B. Banks, Foreman"

It is therefore Considered by the Court, that the Plaintiff John P. Key do have and recover of the defendants W. B. Coffee and J. R. Ogilvie the Sum of One thousand Six hundred and Seven + 69/100 dollars, principal debt and interest to date, with interest thereon often per Cent per annum, together with all costs in this behalf expended for which execution may issue.

1819 State of Texas vs. Harve Burdill —

On this day appeared in Open Court Harve Burdill as principal and A. R. Morris and A. E. Lane as his Securities and acknowledge themselves to owe and be indebted unto the State of Texas in the Sum of Three hundred dollars each to be levied upon their respective goods and Chattels, lands and tenements, but to be void nevertheless upon the Condition that the said Harve Burdill

make his personal appearance at this term of the Court, and there remain from day to day and from term to term of said Court to answer to an indictment preferred against him by the Grand Jurors at the Spring Term A.D. 1867 for an assault with intent to rape and that he do not depart thence without leave of said Court, otherwise this recognizance to remain in full force and effect.

1815 State of Texas vs. Dick Miller. March 21st 1867.

Now comes the District Attorney in behalf of the State and the defendant in person and by attorney, and the Motion to quash the indictment in this cause coming on to be heard, the same was by the Court overruled- whereupon the parties by their attorneys announce themselves ready for trial, and thereupon come a jury of twelve good and lawful men of Travis County, to wit: J. H. Herndon and seven others, duly empanneled and Sworn, who after hearing the indictment read, the evidence adduced, the argument of Counsel and the Charge of the Court, retired to consider of their verdict and after due deliberation returned into Court the following verdict, to wit: "We the Jury find the defendant guilty of murder in the second degree and assess his punishment at ten years hard labor in the State Penitentiary. J. H. Herndon, Foreman"

Whereupon said defendant was remanded to Jail to await Sentence.

2422 Wm A. Blair vs R. A. Rutherford- Pff has leave to amend

2428 Wm A. Blair vs Cosner & Chandler- Pff has leave to amend

2431 W. A. Ryan vs Jno. C. & Julia M. McDavid- Deft has leave to amend

Whereupon Court adjourned till tomorrow morning 9 o'clock

Friday March 22nd 1867. Court met at 9 o'clock A. M. Pursuant to adjournment, present the same as on yesterday, whereupon the following proceedings were had, to wit

2480 John P. Jones vs Mary J. Jones- Deft has leave to amend

2504 J. C. Huggins vs R. A. Rutherford et al- Pff has leave to amend

2541 Bennett & Co. vs A. P. Blackey et al- Pff has leave to amend

2587 J. M. Blackwell vs The City of Austin- Deft has leave to amend.

District Court Minutes, Friday Spring Term, March 22nd 1867.

1824 The State of Texas vs. Philip Golden — Defendant

This cause being called for trial the defendant Philip Golden, failing to appear, and answer to the indictment in this case, he and his Security W. M. Grumbles, being distinctly called at the door of the Courthouse of Travis County, and the defendant, after a reasonable length of time, still failed to appear: and it appearing to the Court that the defendant Philip Golden with the said W. M. Grumbles as his security, did ~~enter into~~ execute the Bail Bond on file in this Case, substantially as follows: Dated 17th day of March 1867. Payable unto the State of Texas in the sum of Two hundred dollars, conditioned that the said defendant Philip Golden, make his personal appearance at the District Court of said County of Travis now in Session to answer the indictment preferred against the said defendant Golden, by the Grand Jurors of Travis County at the Spring Term A.D. 1867. for an assault on James Harris, and there remain from day to day and from term to term of said Court, and that he do not depart thence without leave of said Court. Which said Bond is forfeited, and it is considered by the Court, that the State of Texas do have and recover of the said Philip Golden, the said sum of Two hundred dollars, and of his said security the sum of two hundred dollars, and that this judgment will be made final unless good cause be shown at the next term of this Court why the said defendant Philip Golden did not appear. And further ordered that Citations do issue to the said Security-

2211. Thompson P. Redding vs. D. N. Coleman —

Rule for costs complied with and Cause continued.

2234 William Rust vs. C. R. Johns, Comptroller —

Dismissed, and Plaintiff's Costs — It is therefore considered by the Court, that the Plaintiff William Rust pay all costs in this behalf expended for which execution may issue.

2301. Amelia Brichta, Plff. vs. John J. Beech, Deft. W. D. Williams, Garnishee, John S. Spence, Intervenor, John S. Spence, Intervenor, by their attorneys and announce themselves ready for Trial, and a jury being waived, the matters in dispute between said parties were submitted to the Court, and it appears to the Court from the evidence that the Garnishee, Williams is now, and was at the date of the service of the writ of Garnishment on Williams, indebted to the defendant John J. Beech by Note, dated 27th day of January 1866, due at date, and executed to one A. R. Orgies for One hundred and fifty dollars, and drawing.

Entered as of March 8th 1867.

And now comes the Plaintiff by attorneys, and also comes W. D. Williams, Garnishee and

interest at the rate of Eight per Cent per annum from date until paid and that Said Plaintiff is entitled to be subrogated to the rights of said Buck in the moneys due on said Note. It is therefore Considered by the Court, that the Plaintiff Amelia Brichta, do have and recover of and from W.D. Williams, the Garnishee in Said Cause, the Sum of One hundred and Sixty three dollars, the amount of Said note, principal and interest to this date together with all the Costs which have accrued by reason of the proceedings in garnishment in Said Cause, for all which execution may issue. And it further appearing to the Court, that said Williams Garnishee &c, was indebted to the said Buck money rent for the place named in the pleadings for the Months of January and February 1866, to wit the Sum of Sixteen and 66/100 Dollars and interest thereon up to this date, and that the indebtedness of Williams is liable to the Garnishment of Plaintiff. It is therefore ordered and adjudged by the Court that said Plaintiff have and recover of said Williams the additional Sum of Sixteen and 66/100 Dollars with interest from the 1st of March 1866.

And it further appearing to the Court, that the said Garnishee W.D. Williams is indebted in the Sum of One hundred dollars money rent for the year 1866, and that said Garnishee has in his possession one hundred and fifty bushels of Corn, rent for the year 1866, and that said Corn is of the value of Seventy five Cents per bushel. And it further appearing to the Court, that the said Intervenor, John S. Spence, is entitled to the said rent for the Year 1866, except for the months of January and February, to wit: for Eighty three 33/100 dollars, and One hundred and fifty bushels of Corn. It is therefore ordered, adjudged and decreed by the Court that the Intervenor John S. Spence do have and recover of the Garnishee Eighty three and 33/100 Dollars for which execution may issue. And it is further ordered that the said Garnishee, W.D. Williams do turn over to and deliver to the said John S. Spence within ten days of the adjournment of this Court, the said One hundred and fifty bushels of Corn, and in default of so doing and on the said John S. Spence, filing with the Clerk of this Court his affidavit of said Williams' failure to deliver the same within said time, then and in that case, that execution do issue against said Williams for the Sum of One hundred and Seventy twelve 50/100 Dollars, the value of said Corn. And it is further ordered that Garnishee W.D. Williams have and retain from the fund in his hands the Sum of $ shown by his answer to be due him for Board from said Buck also that he have and retain from said fund the Sum of $ for his expenses for Six days attendance upon Court, and that all Costs in this behalf expended

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be received from the funds in the hands of said W.D. Williams.

Whereupon it is ordred that Court adjourn till Tuesday Morning 9 o'clock.

Tuesday March 26th 1867.

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

1585 The State of Texas vs. E. Peyton & others -

On this day appeared in open Court, W.K. Makemson, and acknowledged himself to owe and be indebted unto the State of Texas in the Sum of Two hundred dollars, to be levied upon his goods and Chattels, Lands and tenements but to be void nevertheless upon condition that the said W.K. Makemson, make his personal appearance at this term of the Court, and there remain from day to day and from term to term of said Court, to give evidence in the above cause, and that he do not depart thence without leave of said Court, otherwise this Recognizance to remain in full force and effect.

2423 F.W. Handley vs. John H. Connor - Pff has leave to amend & Case Continued

2424 Geo. & Edwin Booth vs. Lem Moke & Moses Moke -

Dismissed by Plaintiffs. It is therefore Considered by the Court that the Plaintiffs pay all costs in this behalf expended for which execution.

2435 S.M. Swenson vs. W.D. Patton - Dismissed at Defendants Costs. It is therefore Considered by the Court that the defendant W.D. Patton pay all costs in this behalf expended for which execution may issue.

2437 S.M. Swenson vs. John S. Ford - Continued and alias Citation ordered to Cameron County -

2440 Frederick Jordan vs. A. Kamp - Continued -

2442 S.M. Cain & als - Guar[dian] vs. C. Behncke, F.W. Sator & Geo. Heimes

Dismissed at Defendants' Costs - It is therefore considered by the Court that the defendants, Behncke, Sator and Heimes pay all the costs in this behalf expended for which execution may issue.

2447. W.S. Shelley vs. Rapp & Thompson - Continued and alias Citations awarded.

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2448 C. L. Robards vs. Rapp & Thompson - Continued -

2451 Milton T. Daty vs. J. E. Daty - Dismissed -

2452 Saml. E. Holland vs. Moses Jackson - Continued and alias citation to Bell County for Moses Jackson.

2455 S. M. Swenson vs. John T. Pruitt, J. B. Hammett, T. N. Duval and Geo. W. Paschal -

Now comes the Plaintiff and amends his pleadings, leave of the Court first had and obtained, and thereupon the Plaintiff declines judgment by default announced ready for trial, and it appearing to the Court that the defendants Pruett and Hammett have been duly served, and wholly make default and that the Cause of action is liquidated. It is ordered by the Court, that the said Plaintiff S. M. Swenson, do have and recover of the said defendants Pruett and Hammett the sum of Six hundred And Sixty five and 53/100 Dollars, and all costs of suit. And the said Defendants Paschal and Duval, having at the same time announced themselves ready for trial & a jury being waived the cause was submitted to the Court. And it appearing to the Court, that the said Paschal and Duval are not indebted to the Plaintiff. It is Considered by the Court that the Plaintiff as to said Paschal and Duval take nothing by his Suit, and that they go hence without day, and have and recover of the Plaintiff all the costs of this Suit, and that Execution issue in favor of the Plaintiff against the said J. B. Hammett and John T. Pruitt for the amount of said judgment and costs in this behalf expended, and that this judgment bear interest at ten per cent per annum.

And thereupon the Motion of S. M. Swenson, to compel the Clerk of the District Court of Travis County to issue executions, coming on to be heard, and the matters of law arising in said Motion being duly Considered by the Court. It is therefore ordered by the Court that said Motion be and the same is hereby granted, and that the Clerk of this Court is hereby ordered to issue executions without regard to the Stay Law -

1773 State of Texas vs. Wm. R. Baker } The Motions for new
1774 Same vs. Same } trials in these causes coming on to be heard and the same being duly considered, It is ordered that the said Motions be granted and the case dismissed from the docket

1775 State of Texas vs. W. R. Baker - In this cause Come the

parties by their attorneys, and the motion for a new trial coming on to be heard, and the same being argued by counsel and duly considered by the Court, It is ordered by the Court that said motion be overruled, whereupon defendants Counsel in open Court gives notice of an appeal to the Supreme Court of the State -

1807 State of Tex vs. Chester Williams - The motion for a new trial in this cause coming on to be heard, and being duly considered, It is ordered by the Court that said motion be and the same is hereby overruled.

2377 W. A. Morris vs. Andrew Kruger -
The motion for a new trial in this cause coming on to be heard, and being duly considered, It is ordered by the Court, that the same be overruled -

2405 Charles Stribling vs. Atwood & Palm -
The Motion in this cause for a new trial coming on to be heard, and the same being duly considered, It is ordered by the Court, that the same be overruled, whereupon the defendants' Counsel in open Court, gives notice of an appeal to the Supreme Court of the State.

2380 James T. Ward vs. A. W. Townsend & Jas. E. Ranck -
The motion for a new trial in this cause coming on to be heard, and being duly considered It is ordered by the Court, that the same be overruled.

2605 Louis Eilers vs. Isaac Jaloniek et als -
Now comes the Plaintiff by attorney and moves the Court to enter a fine against Frank Dirks Sheriff of Galveston County, for failing to make service of Citations and returning the same within the time prescribed by law upon Isaac Jaloniek and John Smith in the above cause. Which motion being heard and duly considered, It is ordered by the Court that said Motion be sustained and it is further ordered by the Court that a fine of the said Frank Dirks, Sheriff of Galveston County, be fined in the Sum of fifty dollars for failing to make Service and return of Citations in the above cause within the time prescribed by law. and that Scire facias do issue to him returnable to the next term of this Court, Commanding him then and there to appear and show cause if any he can why this judgment should not be made final against him as aforesaid

And thereupon it is ordered by the Court that Philip Golden, and J. B. Benson, who were summoned on a Special Venire at this ~~Spring~~ term of the Court

District Court Minutes, Tuesday Spring Term, March 26 1867.

in the cause of the State of Texas vs- James Alexander and Thomas Matlock, and failed to appear in obedience to the Summons, be fined in the sum of fifty dollars each- 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 should not be made final against them as aforesaid.

Whereupon Court adjourned till tomorrow morning 9 o'clock

Wednesday March 27th 1867.

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

2301. Amelia Brickta vs. John J. Beech, et als-

And now comes the Plaintiff in this cause by attorney and asks the Court to set aside the judgment rendered in said cause at a former day of this term of the Court because of errors therein, and the Court being satisfied that said judgment is incorrect, it is ordered by the Court, that said judgment be set aside, vacated and held for naught. And it is further ordered by the Court that the following judgment and decree be now entered in said cause in lieu of the judgment aforesaid, and as the final judgment of this Court in said cause, to wit:

2301. Amelia Brickta. vs. John J. Beech- Deft. W.D. Williams Gar- John S. Spence- Inter

And now comes the Plaintiff by attorneys, and also come the Garnishee Williams, and John S. Spence, Intervenor by their attorneys, and announce themselves ready for trial, a jury being waived the matters in dispute between said parties were submitted to the Court, and it appearing from the evidence, to the satisfaction of the Court, that the Garnishee, Williams was indebted to the Defendant John J. Beech by note executed in favor of A.R. Crozier dated 27th January 1866, due at date for $130. with 8 per Cent interest until paid. It further appearing that said Williams was indebted to said Beech money rent for the land mentioned in the pleadings for the months of January and February 1866, in the sum of $16.00/100 dollars and interest thereon until paid.

And it further appearing to the Court that said Garnishee, Williams is indebted in the Sum of Eighty three 83/100 dollars for money rent due for balance of the year 1866 and that said Garnishee has in his possession one hundred and fifty bushels of Corn rent for 1866 and that said Corn is of the value of Seventy five Cents per bushel

and that said Spence, the Intervenor, is entitled to the rent for the remainder of the year 1866 from the 1st of March thereof and to said Corn. It also appearing to the Court that said deft. Buck is indebted to said garnishee in the sum of twenty dollars balance due on board bill

It is therefore considered by the Court that the Plaintiff Amelia Brichta do have and recover from the garnishee Williams the sum of One hundred and eighty one dollars principal and interest to this date on said note and said money rent for January and February 1866, and interest thereon at the rate of eight per cent per annum & the pro rata of $13 50/100 dollars to be retained by said garnishee on amount due him for board from said defendant Buck, for which execution may ifsue. It is also Considered by the Court, that said Intervenor John S. Spence, do have and recover from said garnishee the sum of Eighty three 33/100 Dollars with eight per cent interest thereon for which execution may ifsue. It is further ordered that said garnishee W.D. Williams do ~~xxxxx~~ and ~~xx~~ recover ~~xx~~ turn over and deliver to said John S. Spence within ten days after the adjournment of this Court one hundred and fifty bushels of Corn, and in default thereof, on said John S. Spence filing with the Clerk of this Court his affidavit of failure of said Williams to deliver the same within said time, that execution do ifsue for the sum of One hundred and twelve 50/100 dollars, the value of said Corn less the sum of $13 50/100 dollars due said garnishee as aforesaid. It is further Considered by the Court, that the Garnishee W.D. Williams be forever acquitted and discharged from all liability to said Buck on said note executed in favor of said Crozier mentioned in said pleadings, and also acquitted and discharged from his liability to said Buck on said several sums mentioned in this judgment. It is further Considered that said Plaintiff and said Intervenor do have and recover from defendant J.J. Buck all costs in this behalf expended, for which execution may ifsue.

2300. J. Harrell vs. R.J. Downes et al- Plaintiff has leave to amend.

2347. James H. Murray vs. John Hollandsworth- Now comes the Plaintiff by his attorney and moves the Court to set aside the judgment rendered at a former day of this term in the above cause the same having been rendered without authority of law- It is therefore Considered by the Court that the judgment heretofore rendered in this Cause be ~~xxx~~ set aside and held for naught, and that this Cause be continued, and alias citation awarded-

2456 Jno. M. Mayes vs. Margaret M. Mayes- Pleaded-

District Court Minutes, Wednesday Spring Term, March 27. 1867.

2436 Reeves & Anderson } Plaintiffs
vs.
Carl Krohn } Defendant

Now come the Parties to this suit by their Attorneys, and announce ready for trial, and the Plaintiffs exceptions to depositions in behalf of the defence, being heard by the Court, the same is overruled, and the defendant's demurrer to Plaintiff's pleadings is also overruled by the Court. Whereupon come a jury: to wit: J. H. Herndon, foreman, who after hearing the Pleadings read, the evidence, the argument of Counsel and the charge of the Court retired to consider of their verdict, and returned into Court the following verdict, to wit: "We the jury find for Plaintiff in one dollar damages. J. H. Herndon foreman" It is therefore considered by the Court, that the Plaintiffs, Reeves and Anderson do have and recover of and from the defendant Charles Krohn the sum of one dollar, and all costs in this behalf exhaf expended for which execution may issue.

1823 State of Texas vs. David Kimbro.

On this day appeared in Open Court John Farris and Jefferson Cole, and acknowledge themselves to owe and be indebted unto the State of Texas in the sum of two hundred dollars each, to be levied upon their respective goods and Chattels, lands and tenements, but to be void nevertheless upon condition that the said John Farris and Jefferson Cole make their personal appearance at this term of the Court, and there remain from day to day and from term to term of said Court, then and there to testify and give evidence in the above cause, and that they do not depart thence without leave of said Court otherwise this recognizance to remain in full force and effect.

2439 Thomas Freeman & Co. vs. Brown & Hamilton

Now come the parties to this suit by their attorneys and announce themselves ready for trial. whereupon come a jury, to wit: J. H. Herndon, and eleven others, who after hearing the pleadings read, the evidence, & the charge of the Court, retired to consider of their verdict, and returned into Court the following verdict, to wit. "We the jury find for Plaintiffs in the sum of $ 830.35. principal & 338.25 interest, making $ 1169. 60 J. H. Herndon foreman."

It is therefore considered by the Court that the Plaintiff Thomas Freeman & Co. do have and recover of the the defendants Jas T. Brown and W. A. Hamilton, the sum of one thousand one hundred and

District Court Minutes Wednesday 3rd day Term, March 27 1867.

Sixty Nine 60/100 Dollars, with interest thereon at eight per cent per annum, together with all costs in this behalf expended for which execution may issue.

2458 John Caldwell vs. S.M. Swenson -
Dismissed at Plaintiffs costs - It is therefore Considered by the Court that the Plaintiff John Caldwell, pay all costs in this behalf expended for which execution may issue -

2459 Elisha Buck & wife vs. John J. Musgrove -
Dismissed for want of Prosecution - It is therefore Considered by the Court That the Plaintiffs Elisha Buck & wife, pay all costs in this behalf expended for which execution may issue - Entered by mistake, and case Continued

2466. E.A. Moore, vs. Samuels & Mopon - Continued

2475 Geo. Hancock vs W.B. Coffee, & als - Continued for service -

2479 F.W. Chandler vs. E.S. Barry - Pff has leave to amend.

2541 Bennett Bro. vs. Blocker & al - Dft. has leave to amend.

2544 John Hancock vs. Thos F. McKinney - Pff has leave to amend.

And thereupon It is ordered by the Court that W.M. Walton and M. A. Bowers be fined severally five dollars each for Contempt of Court and that they stand committed to the custody of the Sheriff until said fine and costs are paid.

Whereupon Court adjourned till tomorrow morning 9 o'clock

Thursday March 28th 1867.

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

1822 The State of Texas vs. James Alexander & Thos Matlock.
Now Comes the District Attorney in behalf of the State and the defendants in proper person, and by attorneys, and announce themselves ready for trial, Whereupon the defendants plead "not guilty;" then come a Jury of twelve good and lawful men, to wit. A.J. Harrell and eleven others, duly empannelled and Sworn, who after hearing the Indictment read the evidence addduced the argument of Counsel and the Charge of the Court, retired to Consider of their verdict, and returned into Court the following verdict to wit "We the Jury find the defendants guilty of murder in the first degree - A.J. Harrell, foreman"
Whereupon said defendants were remanded to jail to await Sentence.

District Court Minutes, Friday Spring Term, March 29 1867.

Whereupon Court adjourned till tomorrow morning 9 o'clock.

Friday, March 29th 1867.

Court met at 9 o'clock A.M. present the Same as on yesterday, Whereupon the following Proceedings were had, to wit

1823. The State of Texas vs. David Kimbro -

Now comes the District Attorney in behalf of the State and the defendant in person and by Attorney and announce themselves ready for trial. Whereupon the defendant pleads "Guilty", then Come a Jury, to wit: J. H. Herndon and eleven others, duly empanneled and Sworn, who after hearing the Charge of the Court retired to consider of their Verdict and returned into Court the following verdict, to wit: "We the Jury find the defendant Guilty, and assess his punishment at five years imprisonment in the State Penitentiary. J. H. Herndon Foreman." It is therefore Considered by the Court that the said defendant David Kimbro, be confined in the State Penitentiary, at hard labor for the period of five years, and that he be remanded to jail to await Sentence.

2482 Geo. Hancock vs. Jacob Brown.

And now at this day come the parties by their Attorneys and announce themselves ready for trial, and having waived a Jury and submitted the matters to the Court, and in all the evidence it appearing to the Court, that the said defendant Jacob Brown is indebted to the Plaintiff Geo. Hancock in the Sum of Four hundred and twenty Nine 7/100 Dollars. It is therefore Considered by the Court, that the Plaintiff Geo. Hancock do have and recover of the said defendant Jacob Brown the Sum of Four Hundred and Twenty Nine 7/100 Dollars, of which amount from this date the Sum of Three hundred and Eighty Six 75/100 dollars shall be as interest at the rate of ten per cent, and the other Sum of forty three dollars shall be as interest at the rate of eight per cent per annum from this date and also all Costs of Suit, for all which execution may issue.

2483 Geo. Hancock - vs. Matthew Brown

And now at this day come the parties to the above Cause by their Attorneys and announce themselves ready for trial, and by Consent Submit the matters in dispute to the Court, and it appearing to the Court that the law and the evidence are with the Plaintiff. It is Considered by the Court that the said Plaintiff Geo. Hancock do have and recover of the said Matthew Brown the Sum of Eleven hundred and twenty five 24/100 Dollars, of which Sum, the amount of

five hundred and fifty five 29/100 Dollars, shall bear interest at the rate of ten per cent from this date, and the other sum of five hundred and Seventy dollars shall bear interest at the rate of eight per cent from this dat, and shall also have and recover of and from the defendant all the costs of this suit, for all which execution may ipsue.

2486 John P. Jones vs. Mary J. Jones –

And now at this day come the parties to this suit by their attorneys (the atty for Defd being J. B. Morris Esqr. being appointed by the Court) and announce themselves ready for trial, and the demurrer of defendant to Plaintiffs petition coming on to be heard, is by the Court overruled, thereupon come a Jury of twelve good and lawful men, to wit: J. H. Herndon and eleven others duly empannelled and Sworn, who after hearing the evidence and charge of the Court retired to Consider of their verdict, and thereupon returned into Court, the following verdict, to wit: "We the Jury find the allegations sustained by the evidence, J. H. Herndon foreman." Now it thereupon appearing to the Court, that the allegations of the petition are supported in Law and true in fact – It is ordered and decreed by the Court, that the Plaintiffs petition be granted, and that the bonds of matrimoney heretofore existing between the said Plaintiff and the said Defendant be dissolved, and it appearing that the Plaintiff is a proper person to have the Custody of the children Mary Alice and Elizabeth. It is ordered that the Custody of the two children be allowed to the Plaintiff – It is further ordered that the Plaintiff pay all Costs of this suit including a fee of Twenty dollars to be paid to Attorney ad litem from defendant, for all which execution may ipsue. Def. has leave to withdraw the amended answer herein –

2487 James M. Hall et al. vs. John D. Grumbles –

Now come the parties to this cause by their attorneys and announce themselves ready for trial, and waiving a jury, submit the matters in controversy to the Court, and it appearing to the Court from the evidence, that the said defendant John D. Grumbles is indebted to the Plaintiffs James M. Hall and Nathan Hall, in the sum of Four hundred and twenty seven 50/100 Dollars – It is therefore considered by the Court the said Plaintiffs James M. Hall and Nathan Hall do have and recover of the said defendant John D. Grumbles the sum of Four hundred and twenty seven 50/100 dollars, with interest thereon from this date, at the rate of ten per cent per annum, together with all costs in this behalf expended for all which execution may ipsue.

1623 W. R. Baker vs. D. J. Nichols – Continued.

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Phillips & Smith vs Yancey H. Ragsdale

Now come the parties to this suit by their attys and ask that the Continuance heretofore entered in this cause be set aside, and Consent that judgment may be rendered - and it appearing to the Satisfaction of the Court that the Defendant Yancey H. Ragsdale is indebted to the Plaintiffs Phillips & Smith in the Sum of Fifteen hundred dollars in United States Currency. It is therefore considered by the Court that the Plaintiffs Phillips and Smith do have and recover of the said defendant Yancey H. Ragsdale the Sum of Fifteen hundred dollars in United States currency, by consent of parties, with interest thereon at the rate of eight per Cent per annum, together with all costs in this behalf expended for which execution may issue.

A. Bahn, agent, vs P. DeCordova -

Now come the parties to this suit by their attorneys and announce ready for trial, and waiving a jury submit the matters in dispute to the Court, and it appearing to the Satisfaction of the Court that the said P. DeCordova is indebted to the said A. Bahn agent, in the Sum of One hundred dollars It is therefore considered by the Court that the said Plaintiff A. Bahn agent as aforesaid, do have and recover of the said defendant P. DeCordova, the Sum of One hundred dollars with interest thereon at eight per cent per annum from date until paid - together with all costs in this behalf expended for which execution may issue.

2228 Alfred Jennings vs Henry & Hamilton - Continued

2229 A. B. McGill vs Henry & Hamilton - Continued.

2364 Lewis Elgin vs E. Hansbrough - Continued.

2441 F. G. Oke vs Sol Moore - Continued

2451 W. A. Ryan vs J. C. & Judia M. McDavid - Cont'd on affy of dft.

2467 John P. White vs A. J. Hamilton & als - Continued

2484 S. M. Swenson vs W. D. Thompson - Continued to make parties

2485 S. M. Swenson vs H. W. Raglin - Continued for Service

2489 Geo. S. Turner vs D. Litton & als - Continued

2491 Watson Freeman vs E. Perry & wife - Continued.

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25711. B. & A. Luckett - vs. J. B. Petty - Continued

25714 J. C. Higgins vs. R. A Rutherford et al -

It is ordered by the Court, that the order giving leave for Pff to amend, rendered at a former day of this term, be set aside by reason of the disqualification of the presiding Judge - And it is further ordered by the Court that the venue of this cause be changed to Comal County, it being the nearest County out of the District By reason of the disqualificating of the presiding Judge, as aforesaid - and that the Clerk of this Court is ordered to make a transcript of all the entries heretofore made in this cause, and transmit the same, together with all the original papers herein to the Clerk of the District Court of Comal County, -

2499 Plineas De Cordova vs. T. D. & A. C. Moseley -

Now on this day come the parties to this suit, Plineas De Cordova Plaintiff and the defendants T. D. Moseley as trustee for A. C. Moseley and A. C. Moseley wife of the said T. D. Moseley by their respective attorneys, and having a Jury in the case, submit the matters in Controversy, to the Court, and after hearing the allegations and proofs of the respective parties, as well as the matters relating to other parties to this suit, the Motion for other parties to be made being overruled, It is ordered by the Court that the Plaintiff do have and recover of the said defendants as above described the Sum of One thousand Seven hundred and Six & 25/100 dollars together with all costs of this suit, And it appearing that the note upon which this Suit was brought was given for and as part of the purchase money of Lots Nos 5 & 6, in Block No 44 in the City of Austin, and that the same is a lien upon the said property and Real estate above described and mentioned in the deed from John Marshall & wife to the defendants A. C. Moseley and T. D. Mosely as the Trustee of the said A. C. Moseley who is the wife of the said T. D. Moseley, which deed bears date the 2nd. day of February 1860. a copy of which is attached to the original petition and for greater certainty hereby referred to. It is ordered, adjudged and decreed that for the purpose of Satisfying this judgment, that an Order of Sale issue as provided by law requiring the Sheriff to make Sale of the said Real Estate as by law required in Such cases made and provided, and after due and legal notice that the Sheriff proceed to Sell the Same in the manner provided by law and to execute to the purchaser or purchasers a deed of Conveyance therefor, and out of the proceeds of Such sale to Satisfy this judgment, interest and Costs, and return to the said defendants any Surplus of

money that may remain thereafter. And that this judgment draw interest at the rate of ten per cent per annum, that being the rate specified in said Note. And it is hereby ordered and adjudged that in case of the sale as above described, that all right and equity of redemption be forever foreclosed, barred and precluded as against the said Defendants.

2571 Goldfrank Frank & Co. R. A. Rutherford

And now on this day this cause coming on to be tried thereupon come the parties by their attorneys and announce themselves ready for trial, and thereupon come a Jury of good and lawful men of Travis County, to wit J. H. Herndon and eleven others duly empannelled and sworn well and truly to try the issue joined between the parties, who having heard the pleadings, 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 Plaintiffs the Sum of Seven hundred and Sixty five 25/100 dollars. J. H. Herndon Foreman." It is therefore, considered by the Court that the Plaintiffs Max Goldfrank, A. B. Frank and Samuel Lavenburg and Company Comprising the firm of Goldfrank, Frank & Co. do have and receive of the defendant R. A. Rutherford the Sum of Seven Hundred and Sixty five & 25/100 dollars, to bear interest at the rate of eight per cent per annum, together with all costs in this behalf expended for which execution may issue.

And thereupon It is ordered by the Court that the following named persons who were summoned on the regular Venire to serve as Petit jurors for the last week of the present term of this Court, and failed to appear in obedience to the summons be fined in the sum of Fifty dollars each, 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 should not be made final against them as aforesaid. to wit. W. B. Burdill, J. J. Manor and Rhodes Fisher.

2492 Amelia Bricka vs. James Caulfield & Nancy J. Caulfield

And now comes the Plaintiff in the above entitled cause and announces ready for trial, the defendants come not, but wholly make default, whereupon come a Jury, to wit. J. H. Herndon and eleven

District Court Minutes, Friday Spring Term, March 29 1867

others duly empannelled and sworn who after hearing the pleadings, the evidence, and the Charge of the Court, retired to consider of their verdict and returned into Court the following Verdict, to wit: "We the Jury find for Plaintiff in principal 214 00/100 dollars & interest 78 6/100 dollars making in all 292 6/100 dollars, and that the lands mentioned and described in Plaintiffs petition are subject to the vendors lien, and that Nancy Josephine Caulfield has paid nothing for the land, J. H. Herndon foreman." It is therefore considered by the Court that the Plaintiff Amelia Brichta, do have and recover of the defendant James Caulfield the sum of Two hundred and Ninety and two and 00/100 dollars as her principal debt and interest to this date, with interest thereon at the rate of ten per Cent per annum from this date until paid, together with all costs in this behalf expended.

And it appearing to the Court from the said verdict of the Jury that the consideration for the execution of the instrument of writing sued on was the three tracts or parcels of land described in Plaintiffs petition, and that the defendant Nancy Josephine Caulfield, to whom the deed to said lands were executed, has paid nothing for said lands, and that said Plaintiff has a lien on said lands to secure the payment of the note sued on. It is therefore considered by the Court that the said lien of Plaintiff be foreclosed on the following three tracts of land, being the same land as described in Plaintiffs petition, to wit: One tract of (forty one) acres of land situate in Travis County on Barton's Creek and out of Survey No. 738, in the name of Hugh Fragier, beginning at the S. W. corner of E. Buck's Survey - thence N. 35 E. 370 vrs. a stone mound a Cedar 4 inches in diameter bears S. 70 E. 70 vrs. Thence S. 80 W. with the North line of Survey No. 534 - 1121 vrs. a stone mound - Thence S. 10 E. 74 vrs. to the N. W. corner of Survey No. 573 a stone mound - Thence S. 80 E. with the North line of Survey No. 573, Croping Barton Creek 951 vrs. to N. E. corner in the Creek - Thence N. 27 W. 165 varas, to the place of beginning: And another tract of One hundred and Sixty acres of land in said County of Travis, on Barton's Creek in the name of W. P. Moore, adjoining Survey No. 738 in the name of Hugh Fragier: and another tract of Eighty acres of land situate in said County of Travis, and on Barton's Creek and adjoining or near to said Survey No. 738. in the name of Hugh Fragier, located by virtue of a land Certificate for one hundred and Sixty acres, issued to Alexander Eanes by S. Crosby as Commissioner of the General Land Office, on the 14th day of February A.D. 1863. And it is further ordered by the Court that an order of sale do issue to the Sheriff of Travis County, requiring him to sell the lands herein before described as under execution, and that the proceeds of said sale to be applied to the satisfaction of this judgment. and should such proceeds be more than sufficient to satisfy this judgment, the overplus is to be paid to the defen-

daut Nancy Josephine Canfield, but should said three tracts of land not sell for enough to satisfy the amount of this judgment, then execution shall issue against defendant James Canfield for such unpaid balance.

2456. John M. Mayes vs. Margaret M. Mayes -

On this day this Cause being called for trial came the Plaintiff by attorney, and the defendant by F. Carleton Esqr. an attorney appointed by the Court, and thereupon came a jury, to wit: J. H. Hutchins and eleven others, good and lawful men, duly empannelled and sworn, who after hearing the testimony and Charge of the Court, and after deliberation they returned into Court their verdict as follows: "We the Jury find the allegations as set forth in Plaintiffs petition sustained by the evidence, J. H. Hutchins foreman"

And the testimony being deemed sufficient by the Court, It is therefore ordered adjudged and decreed by the Court, that the bonds of matrimony heretofore existing between the said parties John M. Mayes and the defendant Margaret M. Mayes, be and they are hereby dissolved, and that the costs herein be taxed against the Plff. J. M. Mayes for all which execution may issue and that a fee of $20. be taxed in said Costs for F. Carleton, Atty for Plff.

201. Wm Bonner & Wife Elizabeth
vs.
John Becks Heirs.

In this Case now comes John A. Green the Commissioner heretofore appointed in this cause, and asks from a discharge of his trust as such. And it appearing that the said Green as Commissioner on the 12th December 1859 made to this Court his report and final account of all matters imbraced by said trust in the words and figures following to wit:

Wm Bonner Wife v. John Becks Heirs. - District Court Travis County Fall Term 1859. -

201. Wm Bonner wife vs. John Becks heirs -
District Court Travis County Fall term 1859

The report and final account of John A Green who was made Commissioner by this Court to sell two certain parcels of land the property of the estate of John Beck in the Counties of Travis and Bastrop for the purpose of making division and partition between the said Bonner & wife and the children of said Beck and to collect the proceeds of the said sale and pay over the money as directed by the said decree - would show - That heretofore, to wit: at the Fall Term of this Court 1853, he had reported to the Court that he had sold the land, on the 2d day of August 1853, according to the terms of a copy to said Craft Junior for the sum of Seven thousand, two hundred and sixty 50/100 dollars one fourth of which was paid in cash, to wit:

the sum of Eight hundred and one 62/100 Dollars, and the said Purchaser Croft executed his three Several notes for the remainder in equal amounts, each bearing interest from date and due respectively 2d day of August 1854, 2d August 1855, and 2d August 1856,

And your Commissioners would beg leave to report, that he has collected the Whole of the said Purchase money, which including the Cash payment and the interest having accrued upon said Several notes, amounted in gross to the sum of Eight thousand four hundred and forty eight 27/100 dollars, and that he has accounted for and paid to William Bonner, the intirest of himself and wife therein (being one half) and to the said William Bonner as guardian of the said Cleopatria, John Harrison, Sarah Frances and James K Polk, minor Children of John Buck for the remainder - deducting the costs of this Court, the fees of Commissioners and other costs incidental to the sale and the necessary transaction of the business - and that he has taken proper receipts and vouchers for the same all of which he here presents to your Honor.

And he says that he has as before stated, collected all the money due on said sale, and has fully accounted for all he has received thereon, all of which will appear from the accompanying final account which is herewith attached. And your Commissioner having now fully discharged his trust, in making the sale - collecting the money and paying the same over to those who were under the decree, entitled to receive the same, prays that he may be discharged therefrom and that the bond which he heretofore executed with his securities, W.S. Oldham, John F. Marshall and George Hancock be cancelled and decreed to be delivered up to him, and that your Commissioner be forever released and discharged from the obligations thereof, and as in duty bound will ever pray &c. John A. Green, Commissioner.

Final account Current
John A. Green, Commissioner
In Ac. with Heirs of John Buck.

Aug. 2/53	To amt. of cash sale of land		1801	62½	
	By amt. pd J.S. Anderson fee allowed by District Court	50.00			
	By amt. paid S.G. Sneed, fee allowed by District Court	50.00			
	Rec'd 5% Com. on 1801 62½	90.00			
	By paid Costs of District Court	33.35			
	Paid for printed advertisement of sale	5.00			
	Paid for probating & recording deed trust	2.35			
Dec. 2/53	Paid Mrs Bonner wifes intirest in cash payments on land -	196.79			

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Jany 2/57.	Paid Wm. Bonner guardian the interest of Beck Children in cash payment on sale	752.19			1801 63
Dec. 2/53.	To Collection of S. Craft for the Amt. of Bonners wifes interest in note due Aug. 2/57 being first note	~~924.83~~	924	83	
Dec 2/53.	By 5% Comn on $924.83	46.24			
" " "	" Paid Wm Bonner his wifes interest being remainder of said Coll-	878.59			924 83
	To Collection of Beck Children interest in first note due Aug. 2/54.		980	47	
Oct. 11/54	By retained 5% Comn on $980.47	49.02			
" " "	By Paid Wm Bonner, guardian the remainder of paid Collection	931.45			980 47
	To Collection on 2d note for purchase money due 2d Aug. 1853		900	00	
Mch 4/56.	Amt. paid Oldham, fee by Bonners order	45.00			
" " "	Amt. paid Fisk fee by Bonners order	45.00			
" " "	5% Commission on $900.	45.00			
" " "	Paid Wm Bonner for his wife and as guardian of Becks Children remainder of collection	765.00			900 00
	To Collection of balance of 2d Note due Aug. 2/55 with interest		1341	74	
March 29/56	By 5% Commission on $1340.74	67.03			
" " "	" paid W. Bonner for wife and guardian of Becks Children being balance 2d note	1273.71			1340 74
	To collection of 3rd & last note as follows-				
	Note —	1801.62			
	Interest	696.57			
	Collection of probating & registration fees on deed trust	2.35	2500	54	
July 9/58.	By 5% Comn on 2498.19	124.90			
" " "	By payment to W. Bonner for wife and as Guardian of Beck Children	2375.64			2500 54
			8448	21	8448 21

And it appearing to the Court that said report and account is in all things correct, It is adjudged and decreed that the same be confirmed, and that the said Green as Commissioner be discharged from his said trust, and that he and his Sureties as aforesaid be discharged from all liability upon his said bond. It is further ordered that all unpaid costs shall be paid by the said William Bonner and his wife Elizabeth in accordance with the original decree in this cause for which execution may issue.

2613 Wm H. Swinney vs. E. S. Giles and asks permission to amend his original pet.

Now comes the Plaintiff by his attorney and Claims judgment final by default, and the defendant not appearing, but makes default- and it appearing to the Court that the defendant acknowledged service on the Plaintiffs petition herein, And it further appearing

that said defendant is indebted to the Plaintiff in the sum of one hundred and forty seven 62/100 dollars - It is therefore considered by the Court that the Plaintiff Wm H. Swinney do have and recover of the said defendant E. S. Giles, the sum of One hundred and forty Seven 62/100 Dollars, with interest thereon at ten per Cent per annum together with all costs in this behalf expended for which execution may issue

2514. John B. Costa Chief Justice &c. Plaintiff
vs.
6X Thos Glasscock Appr &
Collector of Travis County & al Defendants

And now on this day this cause coming on to be heard, thereupon, ~~Here~~ come the parties by their attorneys and announce themselves ready for trial, and thereupon come a jury, to wit. J. H. Kernden and eleven others, duly empannelled and sworn, who after hearing the pleadings, 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 the sum of Two thousand and two hundred dollars J. H. Kernden, foreman". It is therefore Considered by the Court that the Plaintiff John B. Costa, Chief Justice of Travis County, do have and recover of the defendants Mary Glasscock, admx. of the estate of Thomas Glasscock deceased, C. C. Browning Admr. and Sarah Dietrich admx of Francis Dietrich deceased, Mary A. Cushney W. H. Cushney and Aaron Barlesan, the sum of Two thousand and two hundred dollars to bear interest at the rate of eight per Cent per Annum together with all Costs in this behalf expended for which execution may issue against the property of the defendants Aaron Barlesan, W. H. Cushney and Mary A. Cushney, and that this judgment be certified to the Probate Court of Travis County against the estate of Thomas Glasscock deceased, and Francis Dietrich deceased, to be satisfied out of said Estates in due Course of Administration.

2422 W. A. Blair vs. R. A. Rutherford

Now come the parties to this suit by their attorneys, and announce ready for trial, and the exception of Deft to Plaintiffs petition coming up to be heard, the same is overruled, Whereupon the parties waive a jury and submit the matters in controversy to the Court, which being duly considered It is ordered by the Court that the Plaintiff W. A. Blair take nothing by his said suit, and that the defendant Rutherford go hence without day, and that he recover of the Plaintiff W. A. Blair all the Costs in this behalf expended for which execution may issue - This judgment is rendered without prejudice to the rights of the Rail Road Company.

District Court Minutes, Friday Spr'g Term, March 29 1867.

2576 W. A. Morris vs. Jos. Newsham - Continued by Plff.

2507. E. Stansbrough Jr. vs. E. Perry wife - Continued.

2577 C. A. Fox vs. W. L. Robards et al - Continued

2582 State of Texas vs. John Rapp et als - It is ordered that service of this writs herein be quashed, alias writs awarded and cause continued -

2533 N. L. Nelson vs. A. J. Berry -
Now comes on to be heard the motion of the defendant to strike this cause from the docket and the Court after being fully advised thereon It is ordered by the Court that the said motion be and the same is overruled, to which ruling the defendant excepts -

2594 N. M. Tinnin vs. J. R. Billingsley, et als -
Now comes on the motion of defendant to quash the writs herein and the same being considered by the Court, It is ordered that said motion be granted and leave granted to amend writs at the costs of Plaintiff.

Whereupon Court adjourned till tomorrow morning 9 o'clock

Saturday March 30th 1867.
Court met at 9 o'clock A.M. present the same as on Yesterday -

1815 State of Texas vs. Dick Miller -
Now comes on to be heard the motion in this cause, for a new trial, and the same being duly considered, It is ordered by the Court that said motion be and the same is hereby overruled. to which Deft excepts and thereupon Defts counsel in open Court gives notice of an appeal to the Supreme Court of the State.

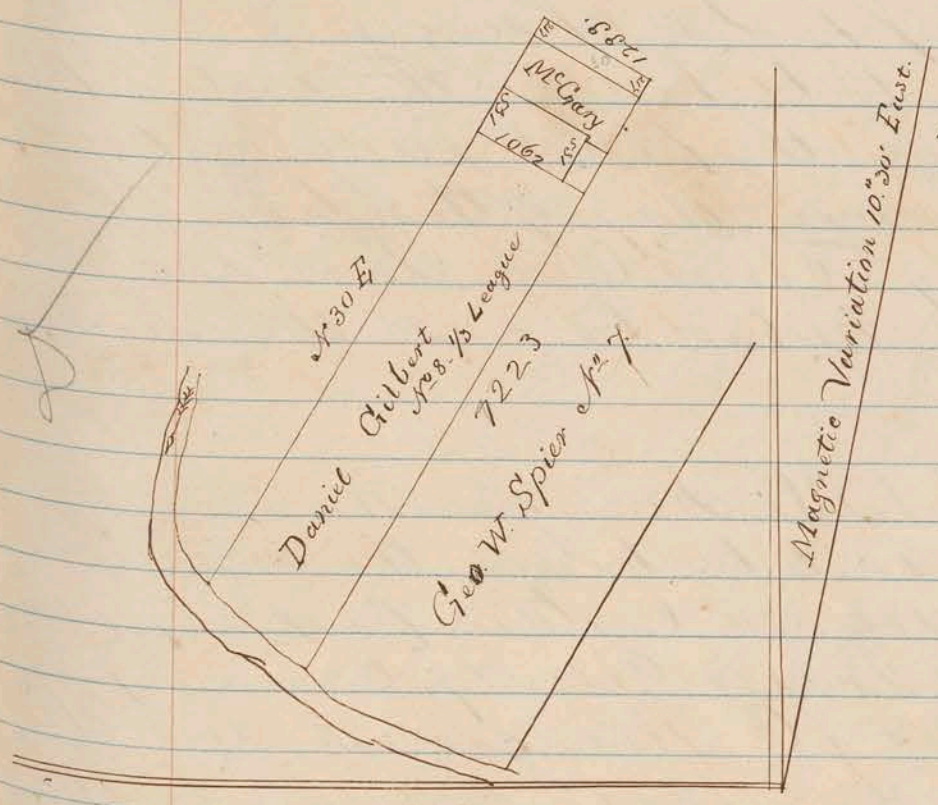
1815 State of Texas vs. Dick Miller
Now comes on to be heard, the motion to arrest the judgment in this cause, and the same being duly considered, It is ordered by the Court that said motion be and the same is hereby overruled.

1585 State of Texas vs. E. Peyton et als -
Now comes on to be heard, the motion of W. H. D. Carrington, to be discharged from all liability on the bond of E. McLaughlin, which being duly considered It is ordered by the Court that said motion be and the same is hereby granted, and that said Carrington is hereby released from all liability on said bond -

and ~~xxxxx~~ Alias writs awarded for the defendant McLaughlin.

921. Mary A. Kelly Surving wife of Francis Kelly, deased vs. Hall Medlin + als } Plaintiff } Defendants }

The above entitled and numbered cause coming on to be considered upon the report of Joseph Lee, James A. Thompson and James R. Pace, Commissioners appointed at a previous term of this Court, to wit: on the day of December 1866, to Partition and divide the land in controversy in this suit and to set apart to said Plaintiff the part of said land adjudged to her by the judgment and decree of this Court at said Fall Term 1866, thereof and said Report of said Commissioners having been duly examined and considered by the Court: It is ordered adjudged and decreed by the Court, that said Report of said Commissioners be in all things ratified, approved and confirmed, And it is further ordered, adjudged and decreed by the Court, that all right and title of said defendants, Hall Medlin, Oliver H. Hedgecoxe and Wm Case and of all persons Claiming under them or either of them, be divested out of them and each of them in and to the tracts of land so as aforesaid set apart and partitioned off by said Commissioners to said Plaintiff and the title to said tracts of land be vested absolutely in the said Plaintiff, Mary A. Kelly, Surviving wife of said Francis Kelly, deceased, together with all the rights privileges, improvements and appurtenances to the same belonging or appertaining, said tracts being bounded and described by the field Notes and Plats of the Surveys thereof, as follows, viz: Survey of 320 acres



Beginning on a stone Mound and original North East corner of said 1/3 League from which a Post oak marked x old mark, bears S. 40° E. 10 vrs. Thence N. 66° W. 1299 vrs. to a Stake and mound for the original North West corner of said 1/3 League. Thence S. 34 W. 247 3/10 vrs. to a Stake. Thence S. 66° E. 1299 vrs. to a stake in the West boundary line of the Geo. W. Spier League No. 7. Thence N. 34° E. 247 3/10 vrs. to the place of beginning.

One hundred acres - Beginning at the South West Corner of a twenty acre lot for Wm Case, being the South portion of said 320 acre tract - Thence N. 3 E. with the Case line 531 vrs. to a Stake. Thence N. 66° W. 1061 1/10 vrs.

to a stone mound in the West line of the said Gilbert Survey - Thence S. 3½ W. 531 vrs. to a stake and South West Corner of said 321 acre tract, and Thence S. 6½ E. 196 1/10 vrs. to the beginning.

and that a writ of possession issue to the Sheriff of said County of Travis directing him to dispossess and eject said defendants and each of them, and all persons claiming under or holding possession through or under them or each of them, to any part of the said tracts of land and to put the said Plaintiff in the quiet and peaceable possession of said aforedescribed two tracts of land.

It is further ordered, adjudged and decreed that said Plaintiff do have and recover of and from the said defendants, Hall Medlin and Oliver H. Sedgecoxe all costs by her in this suit expended up to and including the judgment and decree of this Court ordering a partition of the land in controversy, for which execution may issue.

It is further ordered and decreed by the Court that all costs accruing since the rendition of said decree ordering partition, shall be paid in equal moities by said Plaintiff and by said defendants Medlin and Sedgecoxe, and that execution may issue against each of them, that is, against said Plaintiff for one half of all such costs, and against said last named defendants for the other half of all said costs. It is further ordered and decreed that said Commissioners be each, allowed four dollars for their services as such, and that said James R. Pace be allowed the further sum of ten dollars for his services in Surveying said land, to be taxed in the bill of costs -

2565 State of Texas vs. Joseph Lueksinger

Now comes on to be heard the motion filed in this cause to set aside the final judgment rendered herein at a former day of this term, and the same being duly considered, It is ordered by the Court that said Motion be and the same is hereby overruled.

2631 Peter B. Love, Ex. vs. J. A. & L. C. Illingworth

Now comes on to be heard, the motion filed in this cause, to release certain property from a levy by the Sheriff of Travis County, levied upon as the property of L. C. & J. A. Illingworth, which being duly considered, It is ordered by the Court that said motion be and the same is hereby overruled -

District Court Minutes, Saturday Spring Term, March 30th 1867.

2578 Goldfrank, Frank & Co. vs. R. A. Rutherford -
Now comes on to be heard, the motion for a new trial in this cause, and the same being duely considered, It is ordered by the Court that said motion be and the same is hereby granted

2541. Bennett & Co. vs. Blocker et al -
Now come the Plaintiffs B. E. Bennett, O. M. Smith and Alfred Smith, and ask judgment final by default, against A. P. Blocker and W. P. Maben two of the defendants in this cause, and it appearing to the Court, that said Blocker and Maben have been duely served with citation according to law and that said Blocker and Maben have pleaded answered or demurred to Plaintiffs cause of action but have wholly made default, and it appearing to the Court that the Plaintiffs cause of action is founded upon a promissory note, a liquidated demand
It is therefore considered by the Court, that the Plaintiffs do have and recover of the said defendants Blocker and Maben the sum of Two hundred and eighty three & 70/100 dollars, with interest thereon at eight per cent per annum from date until paid, togethes with all Costs in this behalf expended for which execution may issue. And it appearing to the Court that judgment by consent of parties is to be entered in favor of James F. Johnson, one of the defendants - It is therefore considered by the Court that the said Johnson go hence without day.

2637. Elizabeth Gass & Children Plaintiffs
vs.
C. S. West, Executor of R. J. Townes & als. Defendants

In the above entitled and Numbered Cause at the present Term of the Court - on this 30th day of March A.D. 1867, appeared the parties, Plaintiffs and Defendants by their attorneys and the said minor heirs of Robert J. Townes by Blackstone A. Davis Esqr. an Attorney of this Court, appointed by the Court as guardian ad litem, to represent said minor heirs, and announced themselves ready for trial, and the demurrer of defendants and each of them having been heard and considered by the Court, said demurrers and exceptions to the Plaintiffs' petition and each of them are overruled and disallowed by the Court. And thereupon came a jury of twelve good and lawful men of Davis County, to wit: J. H. Herndon and eleven others duely empanneled and sworn according to law. And having heard the evidence, arguments of Counsel and the Charge of the Court, retired to

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Considered of their verdict, and returned into Court the following Verdict to wit: "We the Jury believe from the evidence that the parties mentioned as Plaintiffs in the petition are the heirs of Benj. Gass, deceased and find for Plaintiffs principal $ 37.000.00 - & intrest 1233.33⅓ making in all $ 38.233.33⅓ and also that the lands discribed in the said petition are subject to the lien & Mortgage. J. H. Herndon, foreman"

Whereupon, It is ordered, adjudged and decreed by the Court that said Plff Elizabeth Gass, Charles E. Gass and Tom Gass have and recover of and from the said defendants Charles S West as Executor of the Estate of said Robert J. Townes deceased, the sum of thirty eight thousand two hundred and thirty three and 33⅓/100 dollars, the amount found due by the verdict of the jury aforesaid and it appearing to the Court by the verdict of the jury aforesaid, that there exists a Mortgage executed by said Testator Townes in his life time to secure the payment of said sum of money on the following tract or parcel of land situate, lying and being in the County of Brazoria in said State of Texas, on the East bank of the Brazos River, being a part of the league of land granted to William Parker, and known as the Peach Lake Plantation, Containing 1273 acres, more or lep, and bounded as follows, to wit: Beginning at the lower corner of said league on the river and running East along the line of said league acrp oyster creek to the corner of the tract conveyed by Burgh M. Bryan to said Townes. Thence North along the line of said tract to the North East corner thereof. Thence East along the line of said tract to Oyster Creek to the corner of said Peach Lake Plantation on the bank of Oyster creek. And thence West with the line of said Plantation tract which is also the line of the tract belonging to the Estate of Darrington to said Brazos river; and thence down said river as it meanders to the place of beginning.

It is therefore ordered, adjudged and decreed by the Court that said Mortgage be foreclosed, as against said Defendant Charles S West as Executor as aforesaid and as to Maria J. Townes, Polly S. Townes, Alfred E. Townes, Pattie C. Townes, Allen Townes, Nicholas Cobb Townes, and Edward T. Townes the minor heirs at law of said Robert J. Townes and that said above discribed tract of land be sold as herein after described and the proceeds arising from the sale of the same be appropriated to the payment and discharge of said sum of money so due as found by the Verdict of the Jury aforesaid, together with intenst thereon at the rate of twelve per cent per Annum from this date till paid as also to the payment of the Costs of this suit and the necessary and proper expenses of

making said sale and carrying into effect the orders of the Court therein and the residue of the money if any arising from the sale of said land to be paid over to said Charles S. West as Executor as aforesaid. And if said land shall not sell for an amount sufficient to pay off and discharge said debt, interest, Costs and expenses, that execution may issue for any balance remaining against said C. S. West Executor as aforesaid. And because it appears to the Court that it will be to the interest of the parties, plaintiffs and defendants to sell said land on a credit in part and at a different season of the year than the present. It is therefore ordered adjudged and decreed by the Court that said aforedescribed tract of land be sold on the first tuesday in the month of November next before the Court house dore in the town of Brazoria in said County of Brazoria after notice thereof shall have been given for at least ten months previous thereto in the City of A a News paper published in the City of Austin and one at Galveston and in such other papers as the Commissioner may deem expedient and shall also give notice of said sale by posting up written advertisements at three or more public places in said County of Brazoria for as much as twenty days before the day of sale. to the highest bidder therefor for cash to be paid at the time to the extent of one fifth of the amount for which said land may be bid off and sold and the balance of the purchase money that said land may be sold for to be paid by the purchaser in two equal installments at twelve and twenty four months from the date of said sale said sums of money to be secured to be paid by the note of hand of the purchaser with two approved securitys and a lien retained on said land to be enforced by the sale of the same without further legal procedings, the purchaser or purchasers to be required to enter such written Covenants and agreements as will give to the Commissioner appointed to carry out this decree all necessary and proper power to enforce the payment of said sums of money and said Commissioner shall on the payment of said one fifth of the Amount of money that may be bid for said land and the remaining portion of the same shall be secured to be paid as herein directed, execute to the purchaser or purchasers a deed of conveyance for said land for all the right and title to the said tract of land both legal and equitable that were vested in said Robert J. Towns deceased and of all right and title of his said heirs aforenamed and it is further ordered adjudged and decreed by the Court, that Charles S. West be and he is hereby appointed Commissioner to carry out and execute in all things the orders and decrees of the Court herein and is required to make report to this Court, showing fully the manner in which he has discharged his duty herein. When such compensation and allowance will be made him for his services as shall seem equitable and just It is further ordered that B. H. Davis Esq Guardian "Ad Litem" be allowed fifty dollars for his services, to be paid by the Plaintiffs out of first proceeds of the sale of the land.

District Court Minutes, Saturday Morn Term, March 31 1867

2578 B.O. Staveley vs Celia Staveley - Pff has leave to amend

In this cause the Plaintiff appeared by atty and the Court having appointed T.D. Moseley Esqr. an attorney at Law, to represent the intersts of the defendant, the said Moseley also appeared and submit the cause to a jury, to wit: J.H. Herndon, and eleven others, duly empannelled and sworn, who after hearing the pleadings, the evidence, argument of Counsel and the Charge of the Court, retired to consider of their verdict and returned into Court the following verdict to wit: "We the Jury find the Plaintiff and defendant to be husband and wife and believe the defendant to have been guilty of adultery, and also, that the Plaintiff lived with the defendant only long enough for her to recover from her confinement - J. H. Herndon, foreman."

It is therefore considered by the Court, that the bonds of matrimony heretofore existing between the Plaintiff and defendant be and the same are hereby dissolved and it is further ordered by the Court that the Plaintiff B.O. Staveley pay all costs in this behalf expended for all which execution may issue.

1822 The State of Texas vs. John Alexander & Thos Matlock

Now comes on to be heard, the motion filed in this cause for a new trial, and the Court having heard the argument of Counsel thereon, and the same being duly considered by the Court, It is ordered adjudged and decreed by the Court that said motion be granted as to the defendant Matlock, and overruled as to the defendant Alexander. Whereupon the defendants Counsel give notice of an appeal in open Court, to the Supreme Court as to the defendant Alexander

1528 The State of Texas vs. Rapp & Thompson

It is ordered by the Court that the motion filed in this cause for to enter judgment nunc pro tunc be and the same is hereby Continued.

2562 State of Texas vs. C. Goodrich - It is ordered by the Court that the fine entered against the said Goodrich at a former day of this term be remitted, all except one dollar and costs.

2577 State of Texas vs. David Enright - It is ordered that the judgment nisi in this case be set aside and Cause dismissed

1807 State of Texas vs. Chester Williams

Now comes the defendant Chester Williams in open Court in charge of the Sheriff, And also comes the District Attorney, who prosecutes for the State, and it appearing to the Court that the said defendant Chester Williams had at a former

day of this Court, been found guilty by the Jury trying the case of the offence Charged in the indictment, and that said Jury had assessed the penalty at Confinement in the Penitentiary, and the said defendant Chester Williams being asked if he had any thing to say why judgment should not be rendered and Sentence pronounced against him in accordance with said verdict, and the said defendant offering no sufficient reason why Sentence should not be pronounced against him. It is ordered, adjudged and decreed by the Court, that the defendant Chester Williams be Confined in the Penitentiary at hard labor for the term of four years, the time assessed by the Jury in their verdict aforesaid. And it is further ordered by the Court that the defendant Chester Williams be taken by the Sheriff of Travis County, and him safely keep, convey and deliver to the authorities of the State Penitentiary at Huntsville, Walker County Texas, there to be confined at hard labor in the Penitentiary for four years according to the judgment of the Court in this case, and it is further ordered that the defendant pay all costs in this behalf.

1816 State of Texas vs. John Brown,

X Now comes the defendant John Brown in open Court in Charge of the Sheriff, And also comes the District Attorney, who prosecutes for the State and it appearing to the Court that the defendant John Brown, had at a previous day of this term of the Court been found guilty by the Jury trying the case, of the offence charged in the Indictment, and that said Jury had assessed the penalty at Confinement in the Penitentiary and the said defendant John Brown being asked if he had anything to say why judgment should not be rendered and Sentence pronounced against him in accordance with said verdict, and said defendant offering no sufficient reason why Sentence should not be pronounced against him. It is ordered, adjudged and decreed by the Court, that the defendant John Brown, be Confined in the Penitentiary at hard labor for the term of four years, the time assessed by the Jury in their verdict aforesaid, and it is further by the Court that the defendant John Brown be taken by the Sheriff of Travis County and Safely Kept, Convey and delivered to the authorities of the State Penitentiary at Huntsville, Walker County Texas, there to be Confined at hard labor in the Penitentiary for four years according to the judgment of the Court in this case - And it is further ordered, that the defendant pay all costs in this behalf.

V

1812 State of Texas vs. James Looney - Now comes the defd.

X James Looney in open Court in Charge of the Sheriff and also comes the District Attorney, who prosecutes for the State, and it appearing to the Court that the said defendant James Looney had at a previous day of this term

of the Court, been found guilty by the jury trying the Case of the offence Charged in the Indictment and that said jury had assessed the penalty of Confinement in the Penitentiary, and said defendant James Looney being asked if he had anything to say why judgment should not be rendered and Sentence pronounced against him in accordance with said verdict, and said defendant offering no sufficient reason why Sentence pronounced against him. It is ordered, adjudged and decreed by the Court that the defendant James Looney be Confined in the Penitentiary at hard labor for the term of two years, the time assessed by the jury in their verdict aforesaid, And it is further ordered by the Court that the defendant James Looney be taken by the Sheriff of Travis County, and him safely Keep Convey and deliver to the authorities of the State Penitentiary at Huntsville, Walker County Texas there to be confined at hard labor in the Penitentiary for two years according to the judgment of the Court in this case and it is further ordered that the defendant pay all costs in this behalf.

1823

State of Texas vs. David Kimbro

Now comes the defendant David Kimbro in open Court in charge of Sheriff, and also comes the District attorney who prosecutes for the State, and it appearing to the Court that said defendant David Kimbro had at a previous day of this term of the Court been found guilty by the jury trying the case of the offence Charged in the Indictment, and that said jury had assessed the penalty of confinement in the Penitentiary, and said defendant David Kimbro being asked if he had anything to say why judgment should not be rendered and Sentence pronounced against him in accordance with said verdict and said defendant offering no sufficient reason why Sentence should not be pronounced against him. It is ordered, adjudged and decreed by the Court that the defendant David Kimbro be confined in the Penitentiary at hard labor for the term of five years, the time assessed by the jury in their verdict aforesaid. And it is further ordered by the Court that the defendant David Kimbro be taken by the Sheriff of Travis County, and him safely keep convey and deliver to the authorities of the State Penitentiary at Huntsville Walker County Texas there to be confined at hard labor in the Penitentiary for five years according to the judgment of the Court in this case. And it is further ordered that said defendant pay all costs in this behalf.

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1822 State of Texas vs. James Alexander & Thos. Butler et

Now comes on to be heard the motion filed in this cause for a new trial and the Court having heard the argument of counsel thereon, and the same being duly considered by the Court, It is ordered adjudged and decreed by the Court that said motion be and the same is hereby overruled as to the defendant Alexander. It is therefore ordered, adjudged and decreed by the Court, that the said James Alexander be hanged by the neck until he is dead and defendants Counsel giving notice of an appeal to the Supreme Court. It is ordered that the said Alexander be remanded to the custody of the Sheriff to await the result of the appeal, and for final Senten-

1815 State of Texas vs Dick Miller

Now comes on to be heard the Motion in this cause for a new trial and the same being heard It is ordered by the Court that said motion be and the same is hereby overruled It is therefore ordered adjudged and decreed by the Court that the said Dick Miller be confined in the State Penitentiary at hard labor for the period of ten years and his Counsel giving notice of an appeal to the Supreme Court, said Dick Miller is remanded to the custody of the Sheriff to await the result of the appeal, and final Senten-

The Clerk of this Court presents the following Statement as required by law

A Statement of Jury Service at the Spring Term 1867 of Travis Dist. Court.

Dys. Amnt. Grand		Dys Amnt. Jurors.		Dys Amnt.		Dys Amnt.
A. Fantwein	7. 14. 00	A B. Burdson	7. 14. 00	Minis Long.	7. 14. 00	S A Barnhill	7. 14. 00
E. S. Berry	7. 14. 00	Wr. Milks.	7. 14. 00	B. F. Gault.	7. 14. 00	B. C. Reager	7. 14. 00
for C. McKinney	7. 14. 00	J. M Turby.	7. 14. 00	Jas Manor.	7. 14. 00	B. Payne.	7. 14. 00
A. M. Davidson	7. 14. 00	A. K. Cook.	7. 14. 00	Geo Sussman	7. 14. 00	Joel Minor	7 14. 00
	Petit		Jurors.			J. W. Burleson.	7. 14. 00
J. M. Herndon	22. 44. 00	N. Rountree.	4 12. 00	J Van Cleve.	8. 16. 00	R. Jones.	6. 12. 00
B. M. Rylander	6. 12. 00	Darlington	2. 4. 00	N. Alexander.	5. 10. 00	Ed Tips	5. 10. 00
F. Everett	6. 12. 00	J. Hamilton	6. 12. 00	E. McLaughlin	6. 12. 00	Schroeder.	6. 12. 00
F. J. Henry	6. 12. 00	Joe Harell	6. 12. 00	F. M. Nolen	2. 4. 00	J. Hutchins	12. 24. 00
A. B. Townsend	6 12. 00	Rinde	6. 12. 00	W. G. Maynard	3. 6. 00	J. N. Smith	4 8. 00
A. B. Brown	10 20. 00	M. Schnautz	6. 12. 00	A. Bubenstein.	2. 4. 00	J. Kyle.	6. 12. 00
E. Meeks.	2 4. 00	D. C. Edmunson	6 12. 00	F. E. Smith	2. 4. 00	J. Kluge	17 34. 00
A. B. Barron	6 12. 00	J. Patterson	7. 14. 00	N. A. Barker	3. 6. 00	J. W. Bonner.	5. 10. 00
John Brenard	6. 12. 00	M. D. McFarland	6. 12. 00	J. J. Davis	2. 4. 00	S. Pearce.	12. 24. 00
Act Smith	22. 44. 00	J. M. Mansfield	6. 12. 00	C. Klein.	2. 4. 00	Jacob Swank	4 8. 00
A. M. Yadrich	22. 44. 00	W. W. Roberts.	8 16. 00	J. N. Walker	7. 14. 00	W. Patterson	12. 24. 00
N Price	6. 12. 00	Joe Costa	16 32. 00	N. J. Davis	8. 16. 00	J. S. Spence.	3 6. 00
R. M. Johnson	6 12. 00	P. S. Bowls.	10. 20. 00	D. D. Bonner.	7. 14. 00	G. J. Susman	6. 12. 00
C C Kirk	4. 8. 00	J. B. Benson	6. 12. 00	J. J. Musgrove	4. 8. 00	R. H. Smith	6. 12. 00
T. N. Humphrey	16 32. 00	W. R. Davis	6. 12. 00	F. Hunke.	2. 4. 00	A. Cook.	3. 6. 00
A. J. Ward.	16. 32. 00	J. N. Coleman	6. 12. 00	J. M. Benyman.	3 6. 00	N. Bahn.	8 16. 00
W. M. Turner	6 12. 00	W. M. Madeira	6. 12. 00	E. D. Walker.	2. 4. 00	J. W. Hughes	6 12 00
W. A. Hunnicutt						A. J. Harris	17 34 00
A. B. Wakefield	6. 12. 00	D. N. C. Baker	4. 8. 00	J. A. Foster.	2. 4. 00	J. A. Matthews	8 16. 00
W. K. Hilden	6 12 00	L. Matthews	13 26 00	W. S. Piper	6 12 00	Wm Gibson	3 6 00
						E. Bremond	6 12 00

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The foregoing Minutes of the present Term of the District Court of Travis County, State of Texas having been read in open Court as the Statute requires, are hereby approved, and it is ordered that Court be now adjourned and stand adjourned until the next regular Term.

John Ireland

Judge 2nd Judicial District of Texas.

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The State of Texas } On this the 1st day of Feby 1868, we, Frank Brown
Travis County } Clerk of the District Court of said County, County and
A. Fotto Clerk of the County Court of said County in
in presence of W. D. Scott Esqr. Justice of the Peace in said County
have proceeded as the law requires, at the Clerks Office of said County
to draw the names of Ninety-Six persons duly qualified to attend
at the next Term of the District, to serve as Jurors, when the following
named persons were drawn, to wit:

1st Week

1	J. T. Ricks	33	Wm. Smith	65	R. P. Wright
2	E. Raven	34	Archy Underwood	66	Don. Wilson
3	Millon Wright (C)	35	Geo. Warren	67	G. W. Ross
4	J. M. Turner	36	J. L. Brown	68	Henry Madison (C)
5	Anthony Rice	37	B. F. Stanley	69	Richard Shaw
6	A. L. D. Nelson	38	J. B. Perry	70	Wm Stafford
7	J. R. Watson	39	John Rosengreen	71	N. Wanslow
8	M. L. Watrous	40	W. D. Robinson	72	J. W. Todd
9	F. M. Soules	41	J. A. Pearson	4th Week.	
10	Mack Smith (C)	42	R. L. Pearson	73	D. K. Owens
11	Wm Wilks	43	J. C. Petmecky	74	C. C. Stevenson
12	Ed. Billingsley (C)	44	W. T. Patterson	75	J. M. Sims
13	Henry Neill (C)	45	John F. Smith	76	Sinnett Mupett
14	B. Radley	46	W. F. Wells	77	Jeff Owens (C)
15	Ed. Raiford (C)	47	S. E. McFarland	78	Thos. McClenan
16	Cyrus Puckett	48	Israel Roberts	79	M. M. Singleton
17	Nelson Raney	3rd Week		80	A. Wray
18	H. L. Raven	49	Jas. McArthur (C)	81	J. E. Wallace
19	W. E. Risher (C)	50	A. A. Scroggins	82	Hart Samuels
20	Wm Sawyer	51	James Robinson	83	W. S. Palm
21	J. G. Ripman	52	Joshua Patterson	84	T. K. Montgomery
22	J. H. Robinson Jr.	53	Wm. Tinnin (C)	85	E. Pearson
23	A. B. Newman	54	Spencer Robinson (C)	86	Moses Scott
24	R. L. Preece	55	Robt C. (C)	87	E. S. Mathews
	2nd Week	56	Robertson G. L.	88	E. D. Schoolfield
25	James Whitehead	57	C. T. Newman	89	H. M. Metz
26	Wm. M. Preece	58	Henry Reams	90	H. Settegast
27	Jno. C. Raymond	59	B. O. Staveley	91	Peter Smith
28	B. Waechter	60	W. J. Oliphant	92	J. S. Bowles
29	August Zilles	61	C. R. Puckett	93	Jno. Price (C)
30	Riley Spence	62	Damaseo Sierra	94	W. W. Medaris
31	Caswell Ragsdale (C)	63	A. Scroggins	95	J. M. Mansfield
32	Daniel Sanders	64	James Swope	96	Jas Robinson (C)

In testimony whereof we hereto subscribe our names
this the 1st day of February A.D. 1868 =

Frank Brown Clk
Dist Ct.
By A. W. Cullen Dep
Aug. F. Otto, Clk. Co Ct
W. D. Scott J. P.

Venire issued for Grand Jury
Janry 22nd 1868.
A. W. Cullen, Dep, Clk.

District Court Minutes, Spring Term, Mch. 2 1868

The State of Texas } Be it remembered that on the 2nd
County of Travis } day of March 1868 / being the time
appointed by law) at the Court House of Travis County
a District Court for the said County of Travis was held
according to law, the Hon. J. J. Thornton Judge of
the 2nd Judicial District of the State of Texas presiding
present Frank Brown Clerk of said Court and R Pleas
Sheriff of said County, and W. T. Mathews Esqr.
District Attorney, when the following proceedings were
had, to wit:

And thereupon the Court ordered the Sheriff to call
the names of the persons summoned to serve as
Grand Jurors at this term of the Court, and a suf-
ficient number answering to their names, they were
examined on oath as to their qualifications as
Grand Jurors, the following were found duly
qualified, to wit, J. J. McCuistion, A. J.[2] Gattis, Jno.[3] E.
Mowinkle, Geo.[4] Shuffman, S.[5] Cummins, J.[6] L. Nichols.
M.[7] K. Ryan, Henry[8] Dickinson, C.[9] H. Fox, J. H.[10] Robinson,
D. C.[11] Sheps, J. S.[12] Haynes, J. R.[13] Billingsley, H. C.[14] Bengener,
E.[15] H. Darby and Ruby[16] Hollingsworth. Whereupon said
Jurors were duly Sworn empannelled and Charged
by the Court as Grand Jurors for and during the
present term of this Court.

And the Court having appointed M. K. Ryan
foreman of said Grand Jury, they retired for duty
under Charge of a bailiff duly Sworn to keep secret
their proceedings.

And thereupon it is ordered by the Court, that
the Criminal Docket be set for hearing and trial
on Monday the 9th day of March 1868.

Whereupon Court adjourned till tomorrow
morning 9 o'clock

Tuesday March 3rd 1868 Court met pur-
suant to adjournment at 9 o'clock A.M. present
the same as on yesterday.

V 98	Alex. Thomson vs E. S. & Robertson et als	Continued.
V 222	B. Grumbles et ux vs J. J. Grumbles et al	Continued
V 403.	James Park vs. W. S. Oldham. – Ordered that Wm. Sheets be appointed Guardian ad litem for the heirs of B. B. Oldham	

District Court Minutes, Tuesday Spring Term, March 3rd 1868

560	L. F. Price vs M. Short	Ordered that Deft have leave to amend his answer.
882	H. P. Hill vs J. J. Grumbles et al	Continued to make parties, and Scire facias awarded to Grumbles' heirs.
1318	R. M. Tyner vs C. W. McAnally & al mcgnahi R. M. Tyner	Ordered that this cause be dismissed for want of prosecution and it is further ordered by the Court that the Plaintiff pay all costs in this behalf for which Execution may issue
1426	Sampson & Hennicks vs Josiah Fisk et al	Dismissed at Plaintiffs' costs. It is therefore ordered by the Court the Plff herein pay all costs of this suit for which execution may issue.
1613	M. R. Cannon et al vs Martha Smith et als	Ordered that Plff have leave to amend
1685	P. Wilcox et al vs E. M. Smith et al	Ordered that this cause be continued.
1709	Phelps & Johnston vs J. C. Buschlag et als	Ordered that Defts have leave to amend.
1728	P. B. Calhoun vs Geo. Hancock et als	Death of John D. Pitts suggested, and leave granted to make parties.
1733	C. A. Hopkins et als vs A. Morrill	Ordered that Plffs have leave to amend this petition.
1752	Thos. Eborn vs W. R. Cannon's admr	Ordered that Defts have leave to amend answer.
1803	Chas. Klein vs W. P. Rutledge et al	On motion of Defendants Counsel It is ordered by the Court that this cause be dismissed as to the Defendant Rogers.
1842	M. C. Burditt vs G. H. & J. F. Burditt admrs	Ordered that Plff have leave to amend his petition

District Court Minutes, Tuesday Spring Term, March 3rd 1868

1909	Thos. B. Hubing v J. M. Bunton	Desha Bunton, admr of J. M. Bunton, asks to be, and is made a party to this suit.
1913	F. J. Barziza admr v J. S. Holman	Death of Plaintiff and Defendant suggested, leave granted to make parties and cause continued.
1955	Francis Winans v Wm Fowler	Death of Dft. Fowler suggested and Aveline Fowler and A. C. Jones ordered to be made parties hereto as administrators
1960	S. F. Wheler v W. P. Newmans hrs	Ordered to be continued.
2007	Phelps & Johnston v John Marshall & Co.	Ordered that this cause be dismissed and it is further ordered by the Court that the Plffs. Phelps & Johnston pay all costs in this behalf expended for which execution may issue.
2022	Jno. Brown v Raymond & Thomson	Dismissed.
2038	J. H. Lightfoot et al v W. C. Lightfoot	Ordered to be continued
2098	John Davis v Mary S. & W. L. Cholmeley	Dismissed at Defendants costs without prejudice. It is therefore ordered by the Court that the Defendants herein pay all costs of this suit for which execution may issue.
2176	W. D. Scott v W. Fams	Death of Dft suggested and cause continued
2191	H. Van Buren v W. M. Booth	Thos. H. Duval, Executor of W. M. Booth makes himself a party defendant to this suit.
2218	W. Fams v M. T. Johnson et al	Ordered to be continued.
2220	Wm Jones v D. E. Watrous	Death of Plff suggested, leave granted to make parties and Cause Continued.

District Court Minutes, Tuesday Spring Term, March 3rd 1868

V 2332	Sarah J Johnson v T. W. Nolen	Ordered that Plff have leave to amend petition.
V 2348 X	Reeves, Harman & Co v W. H. Morris & Chas. Schultz	Dismissed at Plffs costs. It is therefore considered by the Court that the Plaintiffs in this cause pay all costs of this suit for which execution may issue.
V 2353	P. S. Williams v Philip Jobe & als	James A. Chandler, adm of P. S. Williams makes himself a party to this suit.
V 2360	John Bremond v J. B. Hammett	Ordered to be continued.
V 2366	H. T. Timmis v W. W. Bridgers & als	Death of Plff suggested, and continued to make parties.
V 2411	A. H. Barnes v Joseph Harrell	Ordered that Defendant have leave to file an amende answer.
V 2423	F. H. Handley v J. N. Conner	Ordered that Plff have leave to file an amended petition.
V 2440	Fred Jourdan v A. Kampf	Dismissed
V 2494 X	John Bremond v J. Davis jr.	Dismissed at Defendants costs. It is therefore considered by the Court that the Defendant J. Davis jr. pay all costs in this behalf expended for which execution may issue.
V 2523	L. Brown v B. P. Hollingsworth	Death of Deft suggested, and his legal representatives to be made parties when known and cause continued
V 2526	J. H. Mesereau v M. W. Townsend	Ordered that Plff have leave to file an amended petition.
V 2531	B. M. Odom v G. W. Glasscock	Death of Deft suggested and Cause continued.
V 2532	W. Burdon v G. W. Glasscock	Death of Deft suggested and cause continued

District Court Minutes Tuesday Spring Term, March 3rd 1868

2154	Alfred Smith v L. Mokie	Ordered that Plaintiff have leave to amend petition and cause continued for service.
2553	A. S. Sanders v J. J. Harris	Ordered to be continued.
2574	J. T. Kandler v J. R. Simms et al	Dismissed.
2580	J. H. Hutchins, agent v Mathew Hopkins	Ordered that Plaintiff have leave to amend petition.
2590	Mary Roy v Robt. Roy	Dismissed.
2600	A. King v E. A. King	Dismissed.
2604	Geo. C. Rives v J. R. Billingsley	Dismissed.
2646	Nelson Green v Joseph Harrell	Ordered that Defs. have leave to amend his answer.
2654	Sam Houston et als v S. Crosby, Comr. G.L.O.	Death of Mrs Houston suggested and leave granted to make her representatives parties to this suit when known, and cause continued.
2765	J. H. Bixley ruiffs v Wm. H. Bixley	Ordered that Mr. Schutz be appointed Guardian ad litem for said Wm. H. Bixley
1877	Robert Mitchell v M. C. T. Burdett	It is ordered by the Court that a Survey be made of the land in controversy in this suit by the County Surveyor of Travis County, and Cause continued by Def

Whereupon Court adjourned till to-morrow morning 9 o'clock

Wednesday morning, March 4th 1868, Court met at 9 o'clock, pursuant to adjournment, present the same as on yesterday.

District Court Minutes, Wednesday Spring Term, March 4th 1868

J 254 Edward Grumbles vs W. S. Oldham } Ordered to be continued

V 316 J. J. Grumbles vs Green & Pace } Ordered to be continued.

V 1020 G. W. Cartwright vs J. T. Porter } Ordered to be Continued.

V 1162 A. G. Harrell vs. E. M. Pease, Gov. = Ruled -

V 1164 W. D. Thomson v. Chas & A. Reidel = Continued to make parties.

V 1457 J. R. Pace et al vs. C. R. Johns et als -

This Cause is dismissed by agreement, each party pay in their own costs - It is therefore considered by the Court that the Plaintiffs J. R. Pace and others recover their costs of the Defendants C. R. Johns and others, and further ordered that the Defendants C. R. Johns and others recover their costs against the Plffs J. R. Pace and others, for all which execution may issue.

V 1528 J. S. Thompson v. J. Dyches et als. = Continued to make parties.

V 1613 M. R. Cannon et al vs. Martha Smith et al =

Ordered that C. L. Robards Esqr. be appointed guardian ad litem for James Smith and John A. Green Esqr. be appointed guardian ad litem for Bartlett Smith

V 1733. C. A. Hopkins et als vs. A. Morrill -

Ordered that this cause be set for hearing on Tuesday of the fourth week of the present term of the Court.

V 2243 The State of Texas v. J. M. Swisher = Dft has leave to amend.

V 403 James Park vs W. S. Oldham et al } In this cause, now comes Clement R. Johns, administrator with the will annexed of James Park, dec'd and asks to be made party Plaintiff in this cause, which is done accordingly, and the order heretofore entered at this term are set aside.

V 403. Clement R. Johns, adm'r of Jas. Park vs W. S. Oldham, Gideon G. Pace, Elvira Oldham, & her Children John and Sallie Jane & J. J. Johnson } In this cause it appearing by the agreement between the attorneys for the Plaintiff and the defendants, and the Mandate of the Supreme Court, that David B. Oldham orginally

one of the defendants in this cause is dead, leaving a widow Elvira Oldham and the following minor Children Sallie Jane and John Oldham. And it further appearing that there is no administration on said Estate, and that the said parties reside out of the limits of the State of Texas. It is therefore ordered in accordance with said agreement and Mandate, that the said Elvira Oldham and the said Children, Sallie Jane and John, be made parties to this Suit, and the Court does appoint David Shutt Esqr. Guardian ad litem for the said minors, Sallie Jane, and John. And thereupon the parties announced themselves ready for trial, and submitted the cause to the Judge, without the intervention of a Jury, who being fully advised upon the matters and things in controversy, and hearing the evidence thereon, does order, adjudge and decree, that the said Plaintiff, Clement R. Johns, as administrator as aforesaid, do have and recover of the Defendants, Williamson S. Oldham, Gideon G. Pace, Elvira Oldham, and the said minors, Sallie Jane and John Oldham and J. Johnson the following described tract or parcel of land = In Travis County, being part of the Headright League of Theodore Bissell in the West side of the Colorado River, on the waters of Williamsons Creek, the same being fifteen hundred acres of said League and beginning at the N.E. corner of League No 18. Thence South 3½° W. 2636 varas to a stake and corner, Thence N. 6° W. 3200 varas to a stake and corner in the West boundary line. Thence N. 3° E. 786 varas to Williamsons Creek, running E. 2636 varas to the N. West corner of said Leag. Thence S. 6° E. 2700 varas to Williamsons Creek 3200 varas N.E. Corner of said League or place of beginning - containing 435.200 square varas or fifteen hundred English acres.

It is further adjudged, that the said Plaintiff do have his writ of possession for said land against said defendants and all persons whatever, Claiming the same, by, through or under them. It is further adjudged that the Guardian ad litem, David Shutt Esqr. be allowed the sum of Twenty five Dollars, against the Estate of the said minors for his Services in that behalf. It is further adjudged and decreed that the said Williamson S. Oldham, Elvira Oldham, Gideon G. Pace and J. Johnson pay all costs in this behalf expended for which execution may issue.

Whereupon Court adjourned till tomorrow morning 9 o'clock.

District Court Minutes Thursday Spring Term, March 5th 1868

Thursday Morning March 5th 1868, Court met at 9 o'clock, pursuant to adjournment, present the same as on yesterday.

John King admr
1693 S. J. Cassidy admr vs. John King.
Ordered that the Sheriff have leave to amend citation against Sarah Cassidy.

Jones & Sayers
2764 vs
D. L. Crop
process
Now come the Plaintiffs by attorney and ask judgment final by default and it appearing to the Court that the said D. L. Crop has been duly served with

And now on this day came and appeared in open Court the Grand Jury of Travis County, duly elected, empannelled and sworn for the present term of this Court, and through their foreman M. K. Ryan, presented to the Court the following Bills of Indictment, to wit:

1832 State of Texas vs Alfred Morris — Theft of Corn.

1833 State of Texas vs Lewis Hornsby — Theft of a gelding.

1834 State of Texas vs J. M. Davis — Theft of a gelding.

1835 State of Texas vs Caroline McNeas — Theft of a Watch

1836 State of Texas vs John Griscrick — Theft of a gelding.

1837 State of Texas vs. John Lynch — An assault with intent to kill & murder.

1838 State of Texas vs. John Lynch — Taking up and using an estray &

District Court Minutes, Thursday Spring Term, March 5th 1868

1839	State of Texas vs John Lynch	Taking up and using an estray stud.
1840	State of Texas vs Jack Sommers	Theft of a Saddle.
1841	State of Texas vs. Jack Sommers	Theft of sundry articles
1842	State of Texas vs James Rector (col.d)	Retailing whisky without license.
1843	State of Texas vs James Rictor (col.d)	Retailing whisky without license
1844	State of Texas vs O. Wilcox	Murder.

And thereupon said Grand Jury through their Foreman M. K. Ryan, ~~and~~ suggested to the Court that there was further business before them, and thereupon the ordered said Grand Jury to retire upon a further discharge of their duties.

Whereupon Court adjourned till tomorrow morning 9 o'clock.

Friday March 6th 1868 Court met at 9 o'clock a.m. pursuant to adjournment, present the same as on yesterday.

560	Larkin F. Price, vs Michael Short	In this cause appeared the parties Plaintiff and Defendant, and announced themselves ready for trial, and waived a Jury and submitted all the matters in controversy to the Court, And after hearing the evidence introduced by the Plaintiff and Defendant, It is ordered, adjudged and decreed by the Court, that Plaintiff take nothing by this his suit against the defendant Thomas Simpson. That the Defendant Thomas Simpson go hence without day; that he be quieted in his title to that portion of the league and labor of land in controversy described in the deed executed by Michael Short and Parmelia Short to the said Simpson on the 26th day of March 1849, bounded as follows, to wit: Part of Headright location known as Survey 192 formerly

in Travis County now in Brown County, and situated about ten miles North West from the mouth of Pecan Bayou granted to Michael Short, and beginning at the East corner of said Survey No 192, a stake, from which a live oak bears South 2° East 14 varas. Thence North 45° West Seventeen hundred varas a stone mound. Thence South 45° West, five thousand one hundred varas a stone mound. Thence South 45° East Seventeen hundred varas to a stone mound, for South corner of said Survey 192, Thence North 45° East, five thousand one hundred varas to the place of beginning - Containing one thousand five hundred and thirty five acres.

It is further ordered, adjudged and decreed by the Court, that the defendant Thomas Simpson, do have and recover of and from the Plaintiff, Larkin F. Price and G. W. Chandler, his security on his bond for costs, all the costs of this suit, that have accrued for and on account of the Defendant Thomas Simpson, for which Execution may issue. It is further ordered adjudged and decreed by the Court, that the Plaintiff Larkin F. Price, do have and recover of and from the Defendant William M. Short, as the Executor of the last will and testament of Michael Short, deceased an undivided interest in that portion of the league and labor of land patented to the said Michael Short, on the 19th day of December 1848, not included in the deed from the said Michael and Parmelia Short dated 26th of March 1849, to Thos Simpson aft. which League of land is situated and bounded as follows to wit: Beginning at the East corner of Survey No. 191 of 640 acres from which a Mesquite bears North 67° East 100 Varas, another bears South 35° East 40 varas. Thence South 45° West with the S.E. line of No 191 twenty five hundred and fifty varas to a stake for the W. corner from which a Post Oak bears N. 80° W 4 varas. another bears East 7 varas. Thence South 45° East fifty one hundred varas to a stake for the S corner. Thence North 45° East fifty one hundred varas to a stake for the E. corner from which a Live Oak brs. S. 27° E. 14 vs. Thence North 45 West fifty one hundred varas to a stone mound for the North Corner. Thence South 45° West twenty five hundred and fifty varas to the beginning, Bearings marked X.

It is further ordered, adjudged and decreed by the Court that the Defendant William M. Short as Executor of the Estate of Michael Short, deceased and the Estate of the said Michael Short be, and by virtue of this decree are divested of all right, title, intrust and Claim in or to any undivided interest of fifteen hundred and thirty five acres of the aforesaid unsold portion of said league and labor of land to be divided according to quality and quantity, and the same is hereby fully vested in the Plaintiff Larkin F. Price, his heirs and assigns. It is further ordered by the Court, that the Surveyor of Brown County, or the Surveyor of the Land District, in which said land may be situated at the date of said partition, do partition and set apart

by metes and bounds, the fifteen hundred and thirty five acres of land to the said Larkin F. Price herein decreed to him in conformity with this judgment and decree, and that he return the same to this Court as soon as practicable, and that this cause remain upon the docket until the return of said partition be entered in the Minutes of this Court as a part of this decree.

It is further Ordered, adjudged and decreed by the Court, that the Plaintiff Larkin F. Price do have and recover of and from the Defendant William M. Short as Executor of Michael Short deceased, all the costs of this suit expended xxx herein for or on account of this suit not herein before adjudged against the Plaintiff, and that the Clerk of this Court certify the same to the County Court of Fayette County to be paid in due course of the liquidation of the debts against the Estate of Michael Short, deceased.

2769

Jones & Sayers vs D. L. Crop

Now come the Plaintiffs and ask judgment by default by default, and it appearing to the Court that the said defendant Crop has been duly served with process and failing to appear and answer within the time prescribed by law, and it further appearing to the Court, that this cause is founded upon a liquidated demand as shown by a promisory note.

It is therefore ordered, adjudged and decreed by the Court, that the Plaintiffs, G. W. Jones and Joseph D. Sayers do have and recover of the said Defendant D. L. Crop the sum of One hundred and Sixty six 2/100 Dollars, principal debt and interest to date with interest thereon at the rate ten per Cent per annum until paid, for which together with all costs in this behalf expended for which execution may issue.

2761

Thomas S. Menefee vs W. R. Baker

Now comes the Plaintiff and asks a judgment by default and it appearing to the Court that the Defendant Baker has been duly served with process according to law, and said defendant having failed to answer within the time prescribed by law, but makes default, and it further appearing to the Court that this suit is based upon a liquidated demand as shown by a promissory note on file in this case.

It is therefore ordered, adjudged and decreed by the Court that the said Plaintiff Thomas S Menefee do have and recover of the the defendant W. R. Baker the sum of Eight hundred and Twenty Nine 73/100 Dollars principal debt and interest to date, with interest

therein till paid, at the rate eight per cent per annum and all costs in this behalf expended for which execution may issue.

V
2428
X

W. H. Morris vs R. C. McLaren et al
R. A. McLaren

Now comes the Plaintiff by his attorneys and asks a judgment final by default, and it appearing to the court that said defendants have been duly served with process, and failing to appear and answer within the time prescribed by law and it appearing further, that this suit is based upon a liquidated demand as shown by a promissory note on file in this case.

It is therefore ordered adjudged and decreed by the Court that the Plaintiff W. H. Morris do have and recover of the defendants R. C. McLaren and R. A. McLaren the sum of Three hundred and Twenty Eight & 00 Dollars, principal debt and interest to date, with interest thereon at the rate of ten per cent per annum till paid, together with all costs in this behalf expended, for all which execution may issue.

V
2724
X

W. H. Morris vs Daniel C. Shelp et al Lucy Shelp

Now comes the Plaintiff and asks a judgment final by default, and it appearing to the Court that said Defendants have been duly served with process and failing to appear and answer within the time prescribed by law, and it further appearing that this suit is based upon a liquidated demand as shown by a promissory note on file in this case.

It is therefore ordered, adjudged and decreed by the Court that said Plaintiff W. H. Morris do have and recover of the said Defendants R. C. & R. A. McLaren the sum of Four Hundred and thirty five 54/100 Dollars, principal debt and interest to date, with interest thereon at the rate of ten per cent per annum, together with all costs in this behalf expended for all which execution may issue.

V
2730
X

L. Rentfro, vs C. W. Deison

Now comes the Plaintiff by her attorney and asks judgment final by default and it appearing to the court that the said defendant C. W. Deison has been duly served with process, and failing to appear within the time prescribed by law, and it further appearing that this suit is based upon a liquidated demand, as shown by a promissory note on file in this suit.

It is therefore ordered, adjudged and decreed by the Court that the Plaintiff L. Rentfro surviving wife of E. D. Rentfro dec'd do have and recover of the defendant

District Court Minutes, Friday Spring Term, March 6th 1868.

C. W. Deison the sum of Three hundred and fifty 50/ Dollars principal debt and interest to date, with interest thereon at the rate of ten per cent per annum till paid together with all costs in this behalf expended for all which execution may issue.

2727

W. H. Morris vs Jack Moore — Now comes the Plaintiff by attorney and asks judgment final by default and it appear to the Court that the defendant has been duly served with proces and failing to appear and answer within the time prescribed by law, and it further appearing that this suit is based upon a liquidated demand, as shown by a promissory note on file in this case.

It is therefore ordered adjudged and decreed by the Court that the Plaintiff W. H. Morris do have and recover of and from the defendant Jack Moore, the sum of One Hundred and Sixty Dollars and forty seven Cents, principal debt and interest to date, with interest thereon at the rate of ten per Cent per annum together with all costs in this behalf expended for which execution may issue.

2700

Phelps & Johnston vs S. A. & W. B. Nichols — Now come the Plaintiffs and dismiss this suit as to the defendant W. B. Nichols, and ask judgment final by default as to the defendant S. A. Nichols, and it appearing to the Court that the said defendant S. A. Nichols has been duly served with proces and failing to appear and answer within the time prescribed by law, and it further appearing that this suit is based upon a liquidated demand, as shown by a promissory note on file in this case

It is therefore ordered adjudged and decreed by the Court that the Plaintiffs James C. T. Phelps and Wesley Johnston do have and recover of the defendant S. A. Nichols the sum of Two hundred and thirty one 60/100 Dollars principal debt and interest to date with interest thereon at the rate of 10 per cent per annum, and all costs of this suit for which execution may issue

1613

Maria R. Cannon et al vs Martha Smith et al — In this cause appeared the Plaintiffs by their attorney and suggest to the Court, that since the institution of this suit the Plaintiff Maria R. Cannon has intermarried with Wm. T. Allen, and asks that he be made a party Plaintiff in this suit. It is therefore ordered and adjudged by the Court, that said Wm. T. Allen be, and

District Court Minutes, Friday Spring Term, March 6th 1868.

he is hereby made a party Plaintiff to this suit, And it is further ordered that the Plaintiffs have leave to file and amended petition

Sarah Johnson, admx
vs
T. W. Nolen

Now comes Sarah Johnson administratrix of the estate of John C. Johnson, deceased, and asks judgment by default against T. W. Nolen, defendant in the above entitled cause, and for a writ of inquiry, and it appearing to the Court that said Nolen has been duly served with Citation and all necepary proceps to make him a party defendant to this suit as required by law, and it further appearing that said Nolen has not answered to Plaintiffs Cause of action within the time prescribed by law, but wholly makes default.

It is therefore ordered that said Sarah Johnson administratrix as aforesaid, do have judgment by default against said Nolen, and that a writ of enquiry be awarded, and thereupon come a Jury of twelve good and lawful men, to wit: T. Bostick and eleven others, duly empannelled and sworn who after hearing the pleadings, 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 the sum of Six hundred and forty dollars ($640 00) due on the two Notes bearing 8 per Cent per annum; also on the third Note bearing 10 per ct interest the Sum of One hundred and Sixty four dollars and forty Seven Cents ($164 47) making a total of Eight hundred and four dollars and forty Seven Cents, ($804 47) and that said notes were given in payment of a tract of land mentioned in Plaintiffs petition and amended petition. T. Bostick foreman"

It appearing to the Court that said Sums of money are due and owing for the purchase money of the tract of land described in Plaintiffs petition. It is therefore ordered adjudged and decreed by the Court that said Sarah Johnson, administratrix as aforesaid do have and recover of and from the defendant T. W. Nolen, the Sum of Six hundred and forty dollars ($640 00) with eight per Cent interest per annum until paid, and the further Sum of of One hundred and Sixty four dollars and forty Seven Cents ($164 47) with interest at the rate of ten per Cent per annum until paid and all costs of this suit. And it is further ordered, adjudged and decreed by the Court that the following described tract of land to wit," A parcel of land being a part of the Bipell League situate on Williamsons Creek, about Six miles South West of the City of Austin in Travis County in the State of Texas. Beginning at the South East corner of Division No 2 on

the East line of League No 18 (the Bissell League) Thence S 30° W. 780 varas to a stake in the Eastern line of said League No 18 and N.W. corner of Cannons Survey from which a Live Oak 19 inches in diameter marked X bears S. 14° E. 7½ varas & a Spanish Oak 9 inches in diameter mark'd X bears S. 4° E. 9 varas. Thence N. 60° W. 580 5/10 varas. Thence S 30° W. 580 ½ varas. Thence N. 60° W. 580 ½ varas. Thence N. 30 E. 1138 ½ varas to the S.W. corner of Division No 2. a stone mound. Thence S 60° E. with South line of said Division 2. 331 varas to a stake. Thence N. 30° E 134 varas Thence S 60° E. 611 varas to the place of beginning - Containing by estimation two hundred acres of land and being the same tract of land sold by John C. Johnson to T. N. Nolen the defendant and the sums of money being due to the Estate of said Johnson for the purchase money of the same, be sold to satisfy and pay off said Sums of money and interest thereon, hereafter becoming due thereon, and that the Vendors lien upon the same be and is hereby foreclosed.

It is further ordered, adjudged and decreed by the Court, that the Clerk of this Court issue an Order of sale to the Sheriff or any Constable of Travis County Texas, Commanding him to advertise and sell the above described tract of land as under execution, and that he apply the proceeds of said sale to the payment and satisfaction of said Sums of money, & interest thereon and costs of suit, and if said tract of land shall not sell for enough to satisfy this judgment and costs as aforesaid, then execution shall issue for the balance that may be found due on said judgment, and if said tract of land shall sell for more than enough to satisfy said judgment, that the Sheriff shall pay over such excess to the said defendant Nolen

× V
1272 9
×

E. A. Merritt vs John T. Miller — Now comes the Plaintiff in this cause and asks judgment by default and it appearing to the Court, that the defendant has been duly served with process, and it appearing that this suit is based upon a liquidated demand, and said defendant having failed to answer within the time prescribed by law.

It is therefore ordered, adjudged and decreed by the Court that the Plaintiff E.A. Merritt do have and recover of the defendant John T. Miller, the sum of Seven Hundred and Fifty nine 05/100 Dollars principal debt and interest to date, with interest thereon at the rate of eight per Cent per annum until paid, and all costs of this suit, for all which execution may issue.

District Court Minutes, Friday Spring Term, March 6th 1868.

C. R. Johns et al vs. J. R. Pace et al } Ordered that the defendant have leave to amend generally, and make the Surveyor of Hays County a party to this suit, and cause continued.

Frederick Jordan vs James C. Hill Dft. & L. D. & S. Duty, admrs. Intervs } Into this cause appeared the Defendant James C. Hill by his attorneys and announced himself ready for trial, and thereupon came a Jury of twelve good and lawful men of Travis County, to wit. T. Bostick and eleven others who being duly empannelled and sworn according to law, after hearing the evidence introduced, and charge of the Court retired to consider of their verdict and returned into Court the following verdict, to wit. "We the Jury find for the defendant, Three hundred & twenty acres of land as described in his patent. and also the sum of Two hundred and fifty nine dollars and 17/100 ($259 17/100) principal and interest for amount paid by defendant to Plaintiff - T. Bostick, foreman"

It is therefore ordered adjudged and decreed by the Court, that the Plaintiff, and Intervenors take nothing by this suit, and that the defendant James C. Hill, go hence without day.

It is further ordered, adjudged and decreed by the Court, that the Plaintiff Frederick Jordan and the Intervenors, be and they are each and all of them in their respective capacities, in which they appear in the Record of this cause, divested of all right, title, interest or claim in or to the following described three hundred and ~~sixty~~ sixteen acres of land, and bounded as follows, to wit: Beginning at the N. W. corner of a Survey in the name of Louis Wolf, for the S. W. corner of this Survey, a stake and stone mound from which a Spanish Oak brs. N. 48° E. 16 varas, an Elm brs. S. 5° E. 8 vrs. Thence North 19° W. 2643 vrs. to a stone mound for corner, from which a Black Jack brs. S. 41° E. 3 vrs. another brs. S. 78 E. 14 vrs. Thence North 71° E. 1105 vrs. a stake from which a Live Oak brs. S. 7° W. 10 vrs. a Black Jack brs. S. 39° E. 10 varas. Thence South 19° E. 1105 (vrs) to a stone mound from which a Live Oak brs. N. 50° W. 11 vrs. another brs. West 28 varas. Thence South 71° W. 738 vrs. to a stake, from which a Black Jack brs. S. 9° E. 6 5/10 vrs. another brs. S. 33° E. 4 varas. Thence South 19° E. 1538 vrs. to a stone mound, from which a Black Jack brs. S. 10° E. 7 vrs. another brs. N. 53° W. 4 varas. Thence South 71° W. 367 varas to the place of beginning, and the same is hereby vested in the defendant James C. Hill.

It is further ordered, adjudged and decreed by the Court that the defendant James C. Hill have and recover of and from the Intervenors L. D. Hill and S. Duty, adminis-

trators of the Estate of Joseph Duty, deceased, all the costs of this suit that have accrued for or on their account and that the Clerk of this Court of this Court Certify the bill of said Costs to the County Court of Travis County, to be paid in due course of administration of the Estate of the said Joseph Duty.

And it is further ordered, adjudged and decreed by the Court that the defendant James E. Hill do have and recover of and from the Plaintiff Frederick Jordan the Sum of Two hundred and Sixty Nine 7/100 Dollars for his principal debt and interest up to this date, with 8 per cent interest thereon until paid, together with all costs of this suit expended for or on account of him the said Frederick Jordan, for which execution may issue

J

1625

J. L. Nichols
vs.
S. Lockwood et al

In this case appeared the parties Plaintiff and defendants and announced themselves ready for trial, thereupon come a Jury, to wit. T. Bostick and eleven others, who being duly empannelled and sworn according to law, after hearing the evidence introduced by the parties 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 the sum of Three Hundred and Eighty Nine dol. and twenty five Cents ($389.25/100) on the note at 10 % interest, and Three hundred & thirty three dol. and Eighty Nine cents ($333.89/100) on the a/c at 8 per cent interest, making in all Seven Hundred and Twenty Three dol. and fourteen Cents ($723.14/100) and we also find that the separate property of Mrs Catharine Lockwood is subject to the payment of said amounts. T. Bostick, foreman"

It is therefore ordered, adjudged and decreed by the Court, that the Plaintiff J. L. Nichols do have and recover of and from the Defendants Sylvester Lockwood, Catharine Lockwood and F. J. L'Estrange the sum of Seven hundred and twenty three 14/100 Dollars for his principal debt and interest up to this date, with interest at the rate of ten per cent on Three hundred and Eighty Nine 25/100 Dollars from this date until paid and eight per cent interest on three hundred and thirty three 89/100 Dollars from this date until paid and all costs of this suit for which execution may issue.

It is further Ordered that the execution issued upon this judgment, direct the officer to first make the amount off of the property of Sylvester Lockwood and L'Estrange if it can

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be found, if not then to make it off of the separate property of the defendant Catharine Lockwood.

V 1246	J. P. White v A. J. Hamilton et als	Ordered that J. M. Page have leave to intervene in this cause
V 1527	James Casner v Wm Barckman	Now comes the Plff. and asks judgment by default, and for a writ of inquiry, and it appearing that said defendant has been duly cited, and failing to appear answer. It is considered by the Court that the Plff. James Casner recover against Wm Barckman according to the prayer of his petition and that a writ of inquiry be awarded.
V 2653	E. M. Smith vs M. H. Royston Treasurer	Rule for costs complied and leave granted Brumfield late Sheriff to amend his return.
2655 V	Isaac Hammett vs Horatio Hunt	On motion of the Clerk, It is ordered by the Court that this case stand dismissed unless the Plaintiff herein give security for costs within the time prescribed by law, Plaintiffs Counsel being notified of said motion. It is also ordered that Plaintiff have leave to amend.
V 2701	Phelps & Johnston vs W. B. Nichols	Death of Deft. Nichols suggested and leave granted to make his legal representatives party to this suit when known, and cause continued.
V 2716	I. A. & Geo. W. Paschal vs D. L. Crop	Death of the Plff. I. A. Paschal suggested and cause continued.
V 2720	I. R. Worrall vs J. D. & A. C. Moseley	Ordered to be continued for service
V 2723	Geo. W. Sampson vs Geo. W. Paschal	Continued to perfect service
V 2722	L. Rintfro Surv-wife &c vs B. P. Hollingsworth	Death of Hollingsworth suggested and legal representatives to be made parties when known and cause continued

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2721 — L. Rentfro, Surv'g wife vs James P. Hector — Now comes the Plaintiff and asks judgment by default and a writ of inquiry - and it appearing to the Court that the defendant has been duly served with procp and failing to appear and answer within the time prescribed by law. It is therefore considered by the Court that the Plaintiff recover of the said Jas. P. Hector according to the pray of her petition, and that a writ of inquiry be awarded.

2737 — J. O. Rice et al vs Wilson Green — Dismissed

2738 — C. W. Deison vs G. W. Glapcock — Death of Deft. Glapcock suggested, legal representatives to made parties when known and cause continued

2742 — Mary A. Branch vs Geo. W. Armstead — Dismissed at Plaintiffs costs at the suggested of her Counsel. It is, therefore considered by the Court that the Plaintiff Mary A. Branch pay all costs in this behalf expended for which Execution may issue.

2751 — D. C. Freeman vs James Stephens et als — Continued for service.

2753 — P. E. George vs B. C. Bennett et als — Ordered that this cause be dismissed at the costs of the defendants, and it is further Ordered that the Plff. P. E. George recover of the defendants B. C. Bennett and others all the costs of this suit for which execution may issue.

2755 — L. D. Carrington & Co vs W. O. Martin — Continued for service -

2756 — J. D. McGary vs S. B. Reid, et al — Death of the defendant Glapcock suggested and continued to make his legal representatives parties when known.

2757 — W. L. Smith vs Bethel Coopwood — Continued under the rule for costs

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V
12760

M. Olmsted
vs.
Thos. F. McKinney et al

Continued for service.

12762
V X

R. K. Cooke, Guardian &c
vs.
R. N. Clements & L. Hord

In this case appears the Plaintiff by his attorneys, and it appearing that the defendants have been legally served with process, and that they have failed to appear and file their answers within the time prescribed by law, but wholly made default. It is therefore ordered adjudged and decreed by the Court that the Defts. be and are hereby barred and precluded from filing answers in this cause or making any defence and a writ of enquiry awarded.

And thereupon came a jury of twelve good and lawful men of Travis County, to-wit: J. A. Baker and eleven others, who being duly empannelled and sworn according to law after hearing the evidence introduced by the Plaintiff, and Charge of the Court, retired to consider of their verdict, and returned into Court the following Verdict, to wit: "We the jury find for the Plaintiff in the sum of Two thousand & Sixty eight 68/100 Dollars ($2068.68) Judgment and interest. We also find that the lot described in said judgment is liable for same. J. A. Baker, foreman."

It is therefore ordered adjudged and decreed by the Court that the Pff. Wilds & Cooke, Guardian of Lewis P. and Mary Cooke's heirs do have and recover of and from the defendants R. N. Clements and Louis Hord the sum of Two Thousand and Sixty Eight (Two Dollars for his principal debt and interest up to this date, with eight per cent interest thereon from this date until paid and all costs of this and the original suit.

It is further ordered, adjudged and decreed by the Court that the vendors lien upon Lot No. (one) in Block No. 124 (one hundred and twenty four) fronting on Congress Avenue in the City of Austin Travis County Texas, be and the same is by virtue of this decree foreclosed. It is further ordered that an order of sale issue to sell said lot and that Execution issue against the said defendants for the balance remaining unpaid from the proceeds of the sale of said lot.

V
12763
X

J. H. Robinson
vs.
J. W. Buntin

In this cause appeared the Plaintiff by his attys, and it appearing that the defendant has been legally served with process, and that he has failed to appear and answer within the time prescribed by law, but wholly makes default. It is therefore

considered by the Court that the defendant be precluded from answering or making any defence herein, and that a writ of enquiry be awarded, and thereupon came a Jury to wit, J. A. Baker and eleven others, duly empannelled and sworn according to law, who after hearing the evidence, and charge of the Court retired to consider of their verdict, and brought into Court the following verdict, to wit: "We the Jury find for the Plaintiff in the sum of One Hundred and Sixty Eight 83/100 Dollars ($168.83) principal and interest. J. A. Baker, Foreman."

It is therefore ordered, adjudged and decreed by the Court that the Plaintiff J. H. Robinson do have and recover of and from the defendant, J. W. Bunton the sum of One hundred and Sixty eight 83/100 Dollars principal debt and interest to date, with interest thereon at the rate of eight per cent per annum until paid, together with all costs of this and the original suit, for which execution may issue.

2766. L. Rentfro, Surv[iving] Wife &c } Now comes the Plaintiff and
vs } asks judgment by default
W. M. Grumbles } and a writ of enquiry, and
it appearing to the Court that
the Defendant has been duly served with process, and
it appearing further that this is an unliquidated action,
and said defendant having failed to appear and
answer within the time prescribed by Law,

It is considered by the Court that the Plaintiff L. Rentfro, Surviving wife of E. D. Rentfro deceased, recover against the defendant W. M. Grumbles according to the prayer of her petition, and that a writ of enquiry be awarded.

2767. A. G. Shelley } Continued for Service
vs
W. H. H. Windham et al }

2768. F. T. Duffau } Now comes the Plaintiff by his attorneys
vs } but the defendant comes not, and it
J. H. Conner } appearing to the Court that said defendant
had acknowledged service in this case
and failing to appear and answer within the time
prescribed by law. It is ordered, adjudged and
decreed by the Court that, said defendant be and he
is hereby precluded from answering or making
any defence in this cause, and that a writ of enquiry be awarded.

Thereupon come a jury, to wit: J. A. Baker, and
eleven others, duly empannelled and sworn a-

cording to law, who after hearing the evidence 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 in the sum of Six hundred & Nine & 27/100 Dollars ($609 27/100) judgment and interest J A Baker, foreman."

It is therefore ordered, adjudged and decreed by the Court that the Plaintiff F T Duffau do have and recover of and from the defendant John A Conner, the sum of Six Hundred and Nine 27/100 Dollars principal debt and interest to date, with interest thereon at the rate of ten per cent per annum, and all costs of this and the original suit, the judgment & which this revives, for all which Execution may issue

2773 M. A. Taylor vs R. A. Rutherford } Ordered to be Continued

2775 Richard Patrick vs W. P. De Normandie } Now comes the Plaintiff by his attorney and asks a judgment by default and a writ of enquiry, and it appearing that the defendant acknowledged service on the petition in this cause, and it appearing further, that this cause of action is unliquidated, and that the defendant has failed to appear and answer within the time prescribed by law,

It is ordered, adjudged and decreed by the Court that the Plaintiff Richard Patrick recover against said defendant according to the prayer of his petition, and that a writ of enquiry be awarded

2776 Richard Patrick vs E. A. Tenleyck Sum & partner &c. } Now comes the Plaintiff by attorney and asks judgment by default and a writ of enquiry, and it appearing that the defendant acknowledged service in this cause, and it further appearing that the cause of action is not liquidated, and that the defendant has failed to appear and answer within the time prescribed by law.

It is therefore ordered, adjudged and decreed by the Court, that the Plaintiff recover against the defendant according the prayer of his petition and that a writ of enquiry be awarded.

2747 Thos. F. McKinney vs J. T. Brown, et al } Dismissed

2705 D. G. Johns vs C. F. Millett } Dismissed

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Now on this day appeared in open Court, the Grand Jury of Travis County, duly impannelled and sworn and charged for and during the present term of this Court, and through their foreman M. K. Ryan presented to the Court the following Bills of Indictment, to wit.

1847 State of Texas vs Robert Brown = Apeace with intent to kill & murder

1848 State of Texas vs Robt Brown = Murder.

1849 State of Texas vs Jack Sommers = Theft

1851 State of Texas vs Jack Sommers = Theft.

1851 State of Texas vs G. W. Morris = Apeace with intent to kill and murder

1852 State of Texas vs Julius Seidel = Theft.

1853 State of Texas vs Anderson Hill = Theft.

1854 State of Texas vs Young Houston = Apeace with intent to kill & murder.

1855 State of Texas vs John Mufsett = Distirbing religious worship &c

And thereupon said Grand Jury, through their foreman, M. K. Ryan suggested to the Court that there was further business before them, whereupon the Court, ordered said Grand Jury to retire upon a further discharg of their duties.

Whereupon Court adjourned till tomorrow morning 9 o'clock

Saturday March 7th 1868. Court met at 9 o'clock A.M. pursuant to adjournment, present the same as on yesterday.

2452 Samuel E. Holland vs Moses Jackson & als } Now comes the Plaintiff by attorney and dismisses his suit as to the defendant Moses Jackson, and ask judgment final by default as aggainst the defendants John Burleson, H. M. Childress and S. M. Pulliam, and for a writ of enquiry, and it appearing that said defendants have been legally served with process, and failing to appear and answer as the law prescribes, it is ordered that a writ of enquiry be awarded, Whereupon came a jury to wit J. A. Baker and eleven others, duly empannelled and sworn according to law, who after hearing

the evidence 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 in the sum of Twenty four hundred and fifty six dollars and seven cents, being principal and interest J. A. Baker Foreman"

It is therefore Ordered adjudged and decreed by the Court that the Plaintiff Samuel E. Holland do have and recover of and from the defendants John Burleson, H. M. Childress and S. M. Pulliam the sum of One Thousand four hundred & fifty six 7/100 Dollars for his principal debt and interest to date with interest thereon at the rate of eight per cent per annum till paid, together with all Costs in this behalf expended, for all which may issue.

12527

James Casner vs Wm Banckman } Now again comes the Plff and asks that the writ of enquiry awarded in this cause at a former day of this term be executed, whereupon came a Jury to wit. T. Bostick and eleven others duly empannelled and sworn according to law, who, after hearing the evidence 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 the sum of Three hundred and Ninety one dollars and Ninety one cents T. Bostick, Foreman"

It is therefore ordered, adjudged and decreed by the Court, that the Plaintiff, James Casner, do have and recover of the said Defendant Wm Banckman the sum of Three Hundred and Ninety One & 9/100 Dollars for his principal debt and interest to date, with interest thereon at the rate of eight per cent per annum until paid, together with all costs of this suit expended for all which execution may issue.

2609

M. C. Hamilton vs Thos D. Harrison et als } Now comes the Plaintiff by his attorneys and asks adjudgment by default as against the defendants Harrison and Majors and for a writ of enquiry and it appearing that said defendants have been legally served with process, and have failed to appear and answer as the law prescribes, and it further appearing that the cause of action is not a liquidated demand

It is therefore ordered, adjudged and decreed by the Court that the Plff. M. C. Hamilton recover against the said defendants Thos D. Harrison and Majors according to the prayer of his petition, and that a writ of Enquiry be awarded.

District Court Minutes, Saturday Spring Term, March 7th 1868.

2610 — M. C. Hamilton vs Daniel Dailey — Now comes the Plaintiff by attorney and asks judgment final by default and it appearing to the Court, that the Defendant has been legally served with proces, and failing to appear and answer as the law prescribes and it appearing to the Court that the cause of action is based upon a liquidated demand as shown by a promissory note on file in this cause,

It is therefore Ordered, adjudged and decreed by the Court that the Plaintiff M. C. Hamilton do have and recover of and from the defendant Daniel Dailey the sum of Five Hundred and Fourteen 50/100 Dollars for his principal debt and interest to date, with interest thereon at the rate of ten per cent per annum until paid, and all costs in this behalf expended for all which execution may issue.

2707 — Tom Hill vs Emily Hill — Ordered that Plaintiff have leave to amend petition

2717 — Mary R. Field vs Albert Brown & William Fowler — Now Comes the Plff. by attorney and dismisses this suit as to the defendant William Fowler, and asks judgment final by default against the Defendant Albert Brown, and it appearing to the Court that said Defendant Brown has been duly served with proces, and failing to appear and answer as the law prescribes, and it further appearing to the Court that Plffs. cause of action is a liquidated demand, as shown by a promisory note on file in this cause

It is therefore ordered, adjudged and decreed by the Court that the Plaintiff Mary R. Field do have and recover of and from the Defendant Albert Brown the Sum of Three Hundred and Twenty Seven & 70/100 Dollars for her principal debt and interest up to this date, with interest thereon at the rate of ten per cent per annum until paid together with all costs in this behalf expended, for all which Execution may issue

2724 — W. H. Morris vs D. C. & L. Shelp — It is ordered by the Court that the judgment taken by default in this Cause at a former day of this term of the Court, be set aside in consequence of the Bankruptcy of Plff. being suggested

2725 — W. H. Morris vs D. P. Cottingham — Bankruptcy of Plff. suggested.

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2726 W. H. Morris vs A. C. & S. E. Cottingham } Bankruptcy of Pff. suggested.

2727 W. H. Morris vs Jack Moore } The bankruptcy of Pff. being suggested, It is ordered by the Court that the judgment by default taked in this cause at a former day of this term be set aside and held for naught.

2728 W. H. Morris vs R. C. & R. A. M. Laren } The Bankruptcy of Pff being suggested, It is ordered by the Court that the judgment taken by default at a former day of this term be set aside and held for naught.

2765 John H. Zivley & Mary Frances Zivley vs Van V. Zivley } On this day, before the Honorable, District Court, Judge J. J. Thornton presiding, come the parties, the Plaintiffs by their attorneys, and the defendant in his own proper person, and by David Shanks Esqr. an Attorney of this Court, and heretofore, by the Court appointed Guardian ad litem of the defendant, And the said Guardian ad litem files his answers to the petition, and the answers of said defendant to the interrogatories propounded by the Petitioners, and the cause coming on to be heard, and it appearing to the Court, that on the 19th day of October 1859, the Plaintiffs were the legal and equitable owners of the following tract of land. Being the S. E. part of James Trammell Survey on Spring Creek, and beginning at the South corner of said Survey, and South West Corner of the Dicker League, a stone mound. Thence North 60° West 189½ varas, with the South line of said Trammell Survey to a stake and stone - Thence North 30 East 129 varas to the North line of said Trammell Survey, a stone mound from which a forked Live Oak marked x bears N. 75° 3/4 W 2½ varas and another Live Oak, marked x 8 inches in diameter bears S 87° E 22½ varas. Thence South 60° East with the North line of said Trammell Survey 189½ varas to the West line of the Dicker League, and East corner of the Trammell Survey in a Live Oak grove. Thence South 30° West with the East line of the Trammell Survey 129 2 varas to the place of beginning.

And it further appearing that on said 19th day of October 1859 the said John H. Zivley and Mary Frances Zivley, signed and acknowledged an instrument of writing purporting to be a deed conveying said land to the defendant, which instrument has been placed upon the Records of Deeds of Travis County, in Land Rigisty Book "N" pages 567 & 568; and it further appearing to the Court, that said deed never was delivered to the said defendant, nor to any

one for him, and that the said deed was only to take effect upon the contingency, that the said John H. Zivley should sell certain real estate of Defendant, situate in the State of Kentucky, and receive the proceeds thereof, which sale has never been made, nor has the said John H. Zivley reduced the same to possession, but the same remains the property of the Defendant unencumbered by any act of the said John H. Zivley. And it appearing to the Court, that no conveyance of any kind ever passed from the defendant to the Plaintiffs or either of them, and it was not the intention of the Plaintiffs or either of them to make an advancement to the defendant, nor that said deed of October 19th. 1859 should be recorded, or to have any effect whatever save upon the contingency aforesaid. And it further appearing that the said deed was recorded without the knowledge or consent of either, the parties Plaintiffs or defendant. And it appearing to the Court, that by reason of the existence of said deed and by the record thereof in the Record of Deeds as aforesaid a cloud is cast upon the title of Plaintiffs to said land, and that they are injured thereby, and it appearing that no title passed by said deed to defendant, and that said deed never was delivered by the Plaintiffs.

It is therefore ordered, adjudged and decreed by the Court, that the aforesaid instrument, bearing date October 19th 1859, and signed by the said John H. Zivley and his wife, the said Mary Frances Zivley, (husband joining) to convey said land to the defendant Vark H. Zivley in consideration of Six Thousand Dollars, which deed is attested by P. DeCordova, and acknowledged before him as Notary Public and recorded on pages 567 & 568 in Book "I" of the County Records of Travis County, be and the same is hereby declared null and void, and that the Petitioners be quieted as to their title in and to said land as against the said Defendant, and that the cloud cast upon the just title of Plaintiffs in and to said tract of land, by reason of the existence of said deed, and the record thereof, as aforesaid be and the same is hereby removed, and the defendant is enjoined from setting up any claim under said instrument.

And it is further Ordered that this Decree operate as a muniment of title to the Plaintiffs. And it is further Ordered by the Court, that the costs of this proceeding be taxed against the Plaintiff John H. Zivley, and that an attorney fee of Fifty dollars be allowed to D. Sheeks Esqr. guardian ad litem, to be taxed as costs, and for all of execution may issue.

2107

Tom Hill } On motion of the Clerk, it is ordered by the
v } Court, that this cause stand dismissed,
Emily Hill } unless the Plaintiff shall give security
for costs with the time prescribed law,

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Plaintiffs Counsel being advised of said motion.

W. H. Morris vs D. P. Cottingham } On motion of the Clerk, it is ordered by the Court that this cause stand dismissed unless the Plaintiff shall give security for costs within the time prescribed by law, Plff's Counsel being present and notified.

2725

2726 W. H. Morris vs. A. A. & S. E. Cottingham.
2727 W. A. Morris vs. Jack Moore.
2728 W. A. Morris vs. R. A. & R. A. McLaren
2732 Adams & Goodrich vs. W. P. Mabin
2733 Mary Roy vs. Robert Roy.
2751 D. C. Freeman vs James Stephens et als.
2753 L. D. Carrington & Co. vs. W. O. Martin
2757 W. L. Smith vs Bethel Coopwood
2758 Geo. S. Turner vs P. D. Turner et als.
2771 L. Fellman & wife vs. D. P. Kinney

On Motion of the Clerk, It is ordered by the Court that the above ten causes stad dismissed from the docket unless the Plaintiffs in each of said causes shall give security for costs within the time prescribd by law, the Counsel for each of said Plaintiffs being notified of said Motion

2713 C. Arnold vs. Wm Arnold

On motion of the Clerk, It is ordered by the Court that this cause stand dismissed unless the Plaintiff shall give security for costs within the time prescribed law, Plaintiffs counsel being notified of said motion

And now on this day appeared in open Court the Grand Jury, of Travis County, duly empannelled, sworn and charged for the present term and through their foreman M. K. Ryan Presented to the Court the following Bills of Indictment, to wit.

1856. State of Texas vs Isaac Smith = Removing hide from neat Cattle =
1857 State of Texas vs. Johnson Davis = do do do.
1858 State of Texas vs. Johnson Davis f. m. c. = Malicious mischief =

And thereupon said Grand Jury through their foreman M. K. Ryan, suggested to the Court that there was further busines before them, whereupon the Court said Grand Jury to retire upon a further discharge of their duties.

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V

2719

X

John M. Swisher
vs
August Rothman
Frank Brown &
Geo. B. Zimpelman

On this day come the parties by their attorneys and the motion of the Defendants to dissolve the injunction, coming on to be heard, and it appearing to the Court, that the injunction restraining proceedings upon the said judgment and restraining the said Geo. B. Zimpelman from making sale as Sheriff of Travis County under said Execution, issued by Frank Brown, as District Clerk of Travis County under said judgment in favor of the said August Rothman, and against James M. Swisher and his surety John M. Swisher and W. P. DeNormandie for $725.20/100 and ten per cent damages, and costs and interest thereon from January 10th 1861 at ten per cent per annum, was improvidently granted, and it appearing to the Court that the said Sheriff had levied upon, by virtue of said Execution, issued under said judgment, the following Real Estate, the property of said John M. Swisher, viz:

"Lot No. 7. in Division B" of out lots of the Austin City tract, Lots Nos. 1 & 2 in Block No. 26 of said City, Lot No. 4 in Block No. 47 of said City, Lots Nos. 1, 2, 3, 4, 5 & 6 in Block No. 183 of said City, Lots Nos. 5 & 6 in Division "A" of the Plan of said City, and One hundred and Eighty acres of land out of the Dicker League known as League No. 8" and that the injunction herein restraining the sale thereof under said levy.

And it appearing to the Court, that the injunction has been improvidently issued, It is ordered, adjudged and decreed by the Court, that the said injunction be, and the same is hereby, in all things dissolved, and that the said August Rothman be at liberty to proceed under the law to the enforcement of his said judgment, unrestrained in any way by the said injunction.

And it further appearing to the Court, from the Bill and answer that there is no good cause, against the said defendants, It is further ordered adjudged and decreed by the Court, that the Bill, be and the same is dismissed, and that the Defendants do recover of the said John M. Swisher and his sureties on the injunction Bond, James H. Raymond and R. T. Lane, all costs herein expended, for which execution may issue.

And it is further ordered and adjudged by the Court that the Plaintiff August Rothman recover of the said John M. Swisher Thirteen hundred and ~~sixty~~ Sixty two & 4/100 Dollars for which execution may issue.

Whereupon Court adjourned till Monday morning 9 o'clock.

District Court Minutes, Monday Spring Term, March 9th 1868.

Monday, March 9th. 1868. Court met at 9 o'clock A.M. pursuant to adjournment, present the same as on Saturday.

1803

Charles Klein vs. W. P. Rutledge } In this case come the parties to this cause W. P. Rogers or his Representatives having heretofore dismissed as a party Defendant, and thereupon said cause was submitted to a Jury of good and lawful men, to wit: S. G. Kingsbury and eleven others, duly impannelled and sworn according to law, who having heard the evidence submitted and the charge of the Court retired to consider of their verdict, and returned into Court with the following: "We the Jury find for the defendants the land claimed in their answer. S. G. Kingsbury, foreman"

And it appearing from the petition and evidence, that the defendant Isham G. Searcy is the owner of the Land Certificate granted to Wm. Frampton, by virtue of which the Survey set out in Defendants answer was made. And it further appearing, that he has a good right to the said land as against the Plaintiff Charles Klein. It is ordered, adjudged and decreed by the Court that the said Searcy do have and recover against the Plaintiff, the land embraced in his said Survey, which is described as follows: " Said Survey is situated in Williamson County, on the divide and head waters of Brushy Creek, upon what was formerly known as the Winford Bailey Survey. Beginning at a stone mound it being the N. W. corner of Survey No 2. made for Elisha Allen, from which a Live Oak 15 inches in dia. bears N. 87 West 3½ varas, and a Pecan 12 inches in dia. brs. S. 16½ W. 52½ Varas. Thence S. 1° E. 2500 vrs. to a stone mound for the S. E. corner from which a P.O. 10 ins. in dia brs. S. 16½ W. 4½ vrs. and a Black J. O. 6 ins in dia brs. N. 78 E. 9 vrs. Thence S. 71 West 1293/3 vrs. to a stone mound, a Black Jack 6 ins. in dia brs. N. 64° W. 11 vars, another Black Jack 10 inches in dia. brs S. 17° E. 20 vrs. Thence N. 62½ W. 104 vrs. with the County line and a divide to a Black jack 8 inches in dia. Thence West 962½ vrs. to a Post Oak 30 inches in dia, Thence S. 84° W. 310 vrs. to a Post Oak 30 inches in dia. Thence N. 83½ W. 120 vrs. to a Post Oak 20 inches in dia. Thence N. 3° W. 320 vrs. to a L. Oak 8 inches in dia. Thence N. 48½ W. 558 vrs. to a L. Oak 10 inches in dia. Thence N. 58½ W. 470 vrs. to a Post Oak, 10 inches in dia. (at this last named Corner it leaves the divide or Co. line between Williamson and Travis Counties) Thence N. 1° W. 811 varas to a stone mound for the N. W. Corner from which a Live Oak 16 ins in dia Marked M. bears S. 58° E. 14 1/3 varas and a Black Jack 4 inches in dia bears S. 4½ W. 3 1/10 varas. Thence N. 7° E. 333 3/3 vrs. to the place of beginning. Containing 7143.791 Square varas." and that he have his writ of possession therefor against the said Klein, and all persons claiming

under or through him. It is further adjudged and decreed that the defendants have and recover of the Plaintiff all costs in this behalf expended for which execution may issue.

1631

Wm. Alexander vs Thos. F. Chapman

Now comes the Plaintiff and with leave of the Court files an amended petition, and at the same time announced himself ready for trial. Thereupon came a Jury to wit: S. G. Kingsbury and eleven others, duly empannelled and sworn according to law, who after hearing the evidence and Charge of the Court retired to consider of their Verdict and returned into Court the following verdict, to wit. "We the Jury find for the Plaintiff Four Hundred & Ninety five dollars & forty five cents, principal & interest. S. G. Kingsbury, foreman"

It is therefore, ordered adjudged and decreed by the Court that the Plaintiff William Alexander do have and recover of and from the defendant Thos. F. Chapman, the sum of Four hundred and Ninety five $\frac{45}{100}$ Dollars principal debt and interest to date, with interest thereon at the rate of eight per cent per annum till paid, together with all costs in this behalf expended for all which execution may issue.

1613

M. L. Cannon et al vs Martha Smith et als

Ordered that Messrs Oldham and Claiborne be discharged as Guardians ad litem in this case, and that Messrs. Green and Adams be substituted in their stead.

1623

W. R. Baker vs L. J. Nichols

Bankruptcy of Deft. Suggested and cause Continued.

1667

John Edgar vs L. J. Nichols

Comes the Pff. by atty and suggests the Bankruptcy of the Defts Nichols and dismisses as to the Defendant Baker and cause continued.

1728

P. B. Calhoun vs Geo. Hancock et al

Ordered that this cause be set for Thursday of the 4th week of this Term.

1746

J. R. Pace vs J. M. Blackwell, Shff

Ordered that this cause be dismissed for want of prosecution, and it is further that the Plaintiff J. R. Pace pay all costs in this behalf expended for all which execution may issue.

District Court Minutes, Monday Spring Term, March 9th 1868.

1732	Thos. Ebow vs M. R. Cannon's admr	Ordered that Wm G. Allen be made party to this suit, and cause continued on affidavit of Plaintiff.
1760	D. M. Wilson vs. J. T. Cleveland et al =	Continued.
1774	W. McLuckie vs. J. A. Comer, =	Continued.

And now on this day appeared in open Court the Grand Jury, duly empannelled, sworn and charged for and during the present term of the Court and through their foreman, M. K. Ryan, presented to the Court the following Bills of Indictment, to wit:

1859	State of Texas vs Orin Baker et al =	Disturbing a religious meeting.
1860	State of Texas vs. John Meeks et als. =	do do.
1861	State of Texas vs Geo. W. Malone =	Malicious mischief.
1862	State of Texas vs Geo. W. Malone =	do do.
1863	State of Texas vs Geo. W. Malone =	do do.
1864	State of Texas vs Ed. Smith =	Larceny from a house
1865	State of Texas vs Moses Scott =	do do do
1866	State of Texas vs John Gallaher =	Assault with intent to Kill & murder.

And said Grand Jury through their foreman M. K. Ryan, suggested to the Court that there was further business before them. Whereupon the Court ordered said Grand Jury to retire upon a further discharge of their duties.

Whereupon Court adjourned till tomorrow 9 o'clock.

Tuesday March 10th 1868 Court met at 9 o'clock a.m. pursuant to adjournment, present the same as on yesterday.

2744	Headly Polk vs C. W. Whites	On motion of the Clerk it is ordered by the Court, that this cause stand dismissed unless the Plaintiff shall give security for costs within the time prescribed by law, Pffs attorneys being notified of said.
2745	Headly Polk vs Thos. F. W. Kinney	On motion of the Clerk, It is ordered by the Court that this cause stand dismissed unless the Plaintiff shall give security for costs within the time prescribed law, Pffs attorneys being notified of said motion.

District Court Minutes, Wednesday Spring Term, Mch 11 1868.

Whereupon Court adjourned till tomorrow morning 9 o'clock.

Wednesday, March 11th 1868 Court met at 9 o'clock A.M. pursuant to adjournment, present the same as on yesterday.

1709

H. M. Fizer vs. Huling & Bunton } This case having been called and Elizabeth Huling the widow and administratrix of the Defendant Thomas B. Huling, dcd. and Deshea Bunton the administrator of James M. Bunton, dcd, who had been duly served with writs of Scire Facias appeared by their attorneys and made themselves parties defendant to this suit, and all the parties having announced themselves ready for trial, and the demurrer of Plaintiff to the amended answer of Elizabeth Huling, admx having been argued, submitted and sustained. Thereupon came a jury of good and lawful men, to wit: S. G. Kingsbury and eleven others, one of whom was subsequently excused and by consent of the parties the cause was submitted to eleven thereof, who it was agreed should constitute the jury for the case, after hearing the evidence on both sides, the cause was, by the Court, submitted to said jury on Special Ipns, the answers to which were to constitute the verdict. Thereupon the Court prepared and submitted to the Jury the following questions in writing, the answers of the Jury to the same in writing being as was agreed upon by the parties, the verdict in this suit, to wit.

"1st Did the deceased defendant Huling ever make a contract in writing with the Plaintiff for the sale to the Plaintiff of the land mentioned in Plaintiffs petition, & in the deed from the deceased defendant Huling to the deceased defendant Bunton? Then if so, when was that Contract made? & what were the terms of said Contract?

2nd What price per acre (if any) was Fizer to pay for the land?

3rd How many acres does the beforementioned tract of land contain & how many acres of the same did Huling Contract to Fizer?

4th If in your answer to the first interrogatory you find that Huling Contracted or agreed to sell the land to Fizer by writing signed by. Then say in your Verdict, in answer to this interrogatory whether Fizer has ever paid for said land, or whether he has paid for any part thereof, or offered to pay therefor & if so how much, or whether the whole amount of the purchase money agreed to be paid is still unpaid?

5th Did the deceased Bunton, know that there was a Contract or agreement between Huling & Fizer for the sale of the land to Fizer, at the time of the purchase of the land by Bunton from Huling?

6th If you find that a Contract or agreement was ever made between Huling & Fizer for the land

Then was such Contract or agreement ever broken by Huling? And if so, when, & what was the value of the land at the date of such violation of the Contract by Huling?

7th If you find that there was a Contract between Huling and Fizer for the sale of the land herein before mentioned or for any portion thereof, & that said Contract was broken by Huling, then say if said breach was acquiesced in & agreed to by Fizer?

8th If you find that there was a Contract between Huling & Fizer for the sale of the land or any portion thereof, then say whether Huling ever complied with, or ever offered to comply with his part of the Contract, & if he did either at what time did he so comply or offer to comply with such Contract?

9th What was the highest value of the land per acre from and after the date of the alleged acceptance of Fizers offer to Huling for the land, and until the filing of this suit, on the 6th day of Apl. 1857?

Answer to Interrogatory 1st. The deceased defendant Huling did Contract in writing with the Plaintiff, the day his letter of the 21st Nov. 1854 was mailed & Postage paid, at one dollar per acre.

2nd Fizer was to pay Huling, one dollar per acre for the land.

3rd The tract of land Contained (2613) Twenty six hundred & thirteen acres. Huling Contracted for the whole tract of land 2613 acres, to Fizer.

4th Fizer has never paid for the land, nor no part thereof, or offered to pay therefor. The whole amt of purchase money is still unpaid.

5th Bunton had perfect Knowledge of the Contract between Huling & Fizer, when he purchased the land of Huling.

6th The Contract between Huling & Fizer was broken when Huling sold said land to Bunton, Feb. 24th 1855. The value of the land at the time of violation of Contract was (1) one dollar per acre.

7th Fizer never acquiesced in or agreed to the sale of the land by Huling to Bunton.

8th Huling never complied with his Contract for the sale of the land to Fizer nor never offered to comply with his part of such Contract.

9th From and after the acceptance of Fizer to Huling for the land, its highest value was two dollars & fifty cents per acre up to the time of filing suit which was Apl. 6th 1857.

S. G. Kingsbury, Foreman"

1613

M. R. Cannon et al
v.
Martha Smith et al

In this cause appeared the Plaintiffs by their attorneys, and the minins by their attorneys. It is ordered by the

District Court Minutes, Wednesday Spring Term, March 11th 1868.

Court that Plaintiffs have leave to amend their petition. And thereupon the Guardians Ad litem submitted to the Court their general and special exceptions. It is considered by the Court that the first cause of demurrer be and the same is hereby sustained. It is further considered by the Court that the remainder of said exceptions be and the same is hereby overruled. And it is further ordered that the Plaintiffs have leave to file an amended petition, to all of which the Guardians, Ad litem except. and it is further ordered that Sci fa (Preston) issue to Connelly, adm making him party hereto, and cause continued.

1743 H. G. Stemmons vs D. C. & G. R. Freeman } Ordered that Plff have leave to amend petition

1804 S. M. Swenson vs Mary E. Payne } Dismissed by Plaintiff. It is therefore ordered by the Court that the Plff S. M. Swenson pay all costs in this behalf expended for which execution may issue.

1816 J. A. Stewart vs S. Pearce et al } Dismissed for want of prosecution. It is therefore considered by the Court that the Defendants recover of the Plff. Stewart all costs in this behalf expended for which execution may issue.

1844 A. Thompson vs W. D. Thompson et al } Continued.

2191 Ed. Van Buren vs Thos. H. Duval, Exr of W. M. Booth, decd } In this cause came the parties, by their attorneys, and thereupon the defendant having submitted his demurrer to the petition of the Plaintiff in this cause, it is adjudged that the same be overruled, and the parties waiving a jury in this cause the same is submitted to the Court, who after hearing the evidence does order, adjudge and decree that the said Plaintiff do have and recover of the defendant as Executor of the Estate of Waller M. Booth, the sum of Two Hundred and Twenty five 87/100 Dollars, together with all costs had and expended. It is further ordered that this judgment be certified to the County Court of Travis County to be filed in the succession of W. M. Booth, decd, and that it be held in due course of administration

District Court Minutes, Thursday Spring Term, March 12, 1868

Whereupon Court adjourned till tomorrow morning 9 o'clock.

Thursday March 12th 1868 Court met at 9 o'clock am. pursuant to adjournment present the same as on yesterday.

V 1885	W. G. Wallace vs D. C. Heffington	Continued
V 1818	J. T. Miller vs M. A. Taylor	Continued on affidavit of Plff
V 1887	L. Fellman vs C. R. Johns et al	Intervenor has leave to amend.
V 1909	Thos. B. Huling vs J. M. Bunton	Ordered that this case be set for Saturday next.
V 1916	B. J. Collins vs Thos. Griffin	Continued.
V 1920	Geo. A. Gray, Chf Jus. vs W. B. Covington et als	Dismissed
V 1955	Francis Winans vs Wm. Fowler.	Appearce of administrator entered and cause continued.
V 1989	Ellen Duval et al vs A. M. Davidson et al	Continued.
V 1993	J. Bledsoe, admr vs P. V. Humphreys et al	Plff has leave to amend.
V 1997	M. F. Bell vs J. B. Perry	Continued
V 2009 X	Neal McGaffey & wife vs T. P. Hughes	Dismissed at the mutual costs of the parties. It is therefore considered by the Court that the Plff recover of the Defendants one half the costs

District Court Minutes, Thursday Spring Term, March 12 1868

in this behalf expended and that the defendant recover of the Plffs one half the costs in this suit expended for all which execution may issue.

2013	E. Henry et al v A. M. Davidson	Continued
2023	John Sayles v Jno. Boulware, et al	Continued
2038	J. E. Pickle v Glapcock & Millican	Death of the Dft. Glapcock suggested and cause continued.
2064	James Riley v Jas. Webb & J. S. Holman	Death of Dft. Holman suggested and cause continued.
2155.	J. H. Browning v Barthof. Manf'g Co	Continued
2169	O. Hedgecoxe v R. H. Simmons et als	Continued
2181	Ellen Duval v J. M. Bennett et al	Continued.
2183	Ellen Duval v W. T. Dwyer et al	Continued
1792	C. C. Browning et als adm'rs v L. S. & J. S. Friend	Continued for service.
1844	The State of Texas vs O. Wilcox	It is ordered by the Court that a Special Venire ipse in this cause for thirty six men, returnable on Friday the 20th day of March 1868.
1845	State of Texas v Charley Thompson et als	In this case it is ordered by the Court, that a Special Venire ipse for Sixty men, returnable on Wednesday the 18th day of March 1868.

District Court Minutes Thursday Spring Term, March 12 1868.

And now on this day appeared in open Court the Grand Jury, duly empannelled, sworn and Charged for and during the present Term of this Court, and through their Foreman M.L. Ryan, presented to the Court the following Bills of Indictment

1867 State of Texas vs Thomas Freeman = Theft from a house

1868 State of Texas vs. Thomas Freeman = Theft from a house

1869 State of Texas vs Edward Smith = Theft

1870 State of Texas vs Alfred M. Major = Betting at Pool.

1871 State of Texas vs Moses Scott = Theft

1872 State of Texas vs - Scroggins = Theft.

1873 State of Texas vs Jos. Walker = Betting at Pool.

1874 State of Texas vs Henry Clay Eames = Aft with intent to Kill

1875 State of Texas vs Clay Eames = Betting at Pool.

1876 State of Texas vs Alfred Musgrove = do do

1877 State of Texas vs James Moore = An attempt to poison

1878 State of Texas vs Green Smith (f.m.c.) = Theft.

1879 State of Texas vs John Cox = Theft from a house

1880 State of Texas vs John Cox = Theft from a house

1881 State of Texas vs Julius Seidel = Theft.

1882 State of Texas vs Thos. Bowles = Betting at a gaming table

1883 State of Texas vs Jas. P. Majors = do do do

1884 State of Texas vs Chas. Wooldridge = do do do.

1885 State of Texas vs Wm P. De Normandie = Betting at pool.

1866 State of Texas vs Gabbart & Speed = Swindling.

1887 State of Texas vs Seaborn Adkins & John Mussett = Theft.

1888 State of Texas vs Frank Geriand = Using an estray ox.

1889 State of Texas vs Saml. Johnson = Theft.

District Court Minutes Thursday Spring Term, March 12th 1868.

1890 State of Texas vs Saml. Johnson = Theft.

And thereupon said Grand Jury, through their foreman, M. K. Ryan, suggested to the Court that there was no further business before them. Whereupon the Court discharged said Grand Jury.

Whereupon Court adjourned till tomorrow morning 9 o'clock.

X Friday March 13th 1868. Court met at 9 o'clock a.m. pursuant to adjournment, present the same as on yesterday.

2023 John Sayles vs Jno. Boulware et al. On motion of Defendants Counsel It is ordered by the Court that the Continuance entered in this cause at a former day of this term, be set aside and the cause dismissed for want of prosecution. It is therefore considered that the Plff. John Sayles pay all costs in this behalf expended for which execution may issue.

2035 J. M. Steines vs W. W. M'Laughlin. Ordered that this cause be set for Saturday next.

2457 W. A. Ryan vs J. C. & J. M. M'David. Ordered that Defendants have leave to amend their answer.

2211 T. P. Redding vs D. H. Coleman. And now at this day come the parties to the above cause by their attorneys and announced themselves ready for trial and the Plaintiffs demurrer to Defendants Second answers coming on to be heard, It is ordered by the Court that the same be overruled and thereupon came a jury of twelve good and lawful men, duly impannelled and sworn, to wit: S. G. Kingsbury and eleven others, who having heard the pleadings read to them, the evidence, the argument of Counsel and the charge of the Court, retired to consider of their verdict, and thereupon returned into Court the following verdict, to wit: "We the jury find for the Plaintiff in the sum of One thousand four hundred and Seventy eight dollars 40/100 ($1478.40) being principal and interest on three Several notes, executed to him by Defendant of date respectively 25th of January 1861. S. G. Kingsbury, foreman. It is therefore Considered by the Court, that the said Plaintiff T. P. Redding do have and recover of and from the said Defendant D. H. Coleman the

the sum of One thousand four hundred and Seventy eight 00/100 Dollars ($1478.00) together with all costs of this suit for all which Execution may issue.

Whereupon Court adjourned till tomorrow morning 9 o'clock.

Saturday March 14th 1868

Court met at 9 o'clock A.M. pursuant to adjournment, present the same as on yesterday.

L. F. Price
vs
Michael Short

Now comes on to be heard, the motion in this cause for a new trial, and the same being duly considered by the Court It is ordered by the Court that said motion be and the same is hereby overruled, whereupon the Defendants ~~Plaintiff~~ Short gives notice in open Court of an appeal to the Supreme Court of Texas.

J. R. Pace, admr
vs
John King

The motion in this case to strike the amended answer of Defendant from the file, coming on to be heard, and the same being duly considered, It is ordered by the Court that said motion be overruled.

J. C. Kirby
vs
H. Bagerly & Catherine Bagerly

And now on this day comes the Plaintiff by attorney, and it appearing to the Court, upon the motion of the said Plaintiff, that at a former Term of this Court, a Verdict and judgment was rendered by this Court in favor of the Plaintiff for one third part of the tract of land described in Plaintiffs petition, and it being made to appear to the Court from the Record that Commissioners were appointed to make partition of said land and to set apart to the Plaintiff his said third part of said tract of land. And it appearing to the Court, that Thomas E Rowe, G. Pfluger and Wayman F. Mills, with the Sheriff of Travis County have been appointed Commissioners to make said partition and said Commissioners having made said partion, and made report to this Court, in words and figures, as follows, to wit:

and said entries not having been carried into the minutes of the Court, and nothing having been made to appear to the contrary

"J. C. Kirby
vs
H. Bagerly & Catherine Bagerly

In District Court Travis County.

The undersigned Commissioners appointed to make partition of Three Hundred and Twenty acres granted to H. W. Fahy by virtue of Bounty Land Warrant No. 1566, lying and being situated in Travis County, between J. C. Kirby, the Plaintiff and H. Bagerly and Catherine Bagerly Defendants, and to set apart to the said Plaintiff

one third part of said tract of land according to quality and quantity, have made said partition and respectfully report that they have apportioned and set apart to the said Plaintiff One hundred acres to be taken off of the Eastern portion of said tract by a line run from the South to the North line of said Survey so as to describe said one hundred acre tract set apart to the Plaintiff as follows to wit. Beginning 1344 varas North 60° West from the West Corner of the S. Eisline Survey No 1 on Gilleland's Creek - Thence North 30 East with the East line of said H. W. Farley Survey 1344 varas to its North East Corner. Thence N. 60° W 420 vs. Thence South 30 West 1344 varas to the South line of said H. W. Farley Survey - Thence S. 60 E. 420 varas to the beginning = containing One hundred acres.

And we partition and set apart to the said defendants the remaining portion of said H. W. Farley Survey, Containing Two Hundred and Twenty acres.

Witness our hands this the 13th day of March AD. 1868. = Thos. E. Rowe = G. Pfluger = W. F. Wells
Radcliff Slate, Sheriff Travis County

And it appearing to the Court from an inspection of said report; that the partition made by said Commissioners is just and equitable. It is therefore ordered adjudged and decreed by the Court, that said partition made as aforesaid, be and the same is hereby confirmed. It is further ordered, adjudged and decreed by the Court, that all the title in and to the land described in the report of said Commissioners herein set out, be divested out of the said defendants H. Bagerly and Catherine and all persons claiming to hold under them, and that the title to the same be and the same is hereby invested in the said Plaintiff, J. C. Kirby and his assigns. It is further ordered and adjudged by the Court that the Plaintiff have and recover of the said defendants all costs in and about this suit expended for which execution may issue

1864 — State of Texas vs Blount — The motion to quash the defendants Bond in this case, coming on to be heard, and the same being argued by counsel, and duly considered by the Court. It is therefore considered that said motion be sustained, and that said bond be and the same is hereby quashed

2750 — J. Davis Jr. vs A. N. Cook et al — Ordered by the Court that J. M. Blackwell have leave to intervene in this cause, and file his petition

District Court Minutes, Monday Spring Term, March 16th 1868.

Whereupon Court adjourned till ~~to Morrow~~ Monday morning 9 o'clock

Monday, March 16th 1868. Court met at 9 o'clock A.M. pursuant to adjournment present the same as on Saturday.

1582 State of Texas vs Wm & Cash Ake } Ordered that David Shuck Esqr. be appointed Distrct atty in this case, the Dist. atty, W. K. Makinson Esqr being counsel for defts, previus to his appointment.

1585 State of Texas vs E. Peyton et al } The Distrct atty being a material witness in this case, asks to be relieved from the prosecution which is accordingly done, and David Shuck Esqr. is appointed in his stead.

1818 State of Texas vs A. F. Boyce } Ordered by the Court that David Shuck Esqr. be appointed to prosecute in this case in place of the Distrct Atty.

1833 State of Texas vs Lewis Hornsby } Ordered that an attachment issue for S. A. Brown, a witness on the part of the State. returnable forthwith.

1834 State of Texas vs J. N. Davis } Ordered that Geo. H. Gray Esq. be appointed to defend in this case. and that attachment issue for all the State's witnes except W. C. Phelps-

1836 State of Texas vs John Geisenet } Ordered that an attachment issue to Wilcamson County for Hugh A. D. Weathersby returnable forthwith.

1848 State of Texas vs Robert Brown } In this case it is ordered that a Special Venire be issued for 36 men returnable on Tuesday the 24th day of March 1868.

1871 State of Texas vs Moses Scott } Ordered that an attachment issue to Bastrop County, for Tood Williams, witness for Defendant- returnable forthwith

1879 State of Texas vs John Coy } Ordered that Messrs. Walton and Shuck be appointed to defend in this case.

1885 X State of Texas vs W. P. DeNormandie } Now comes the District Attorney in behalf of the State and the defendant in person, and announce ready for trial. Whereupon the defendant pleads "guilty". It is therefore considered by the Court that the State of Texas do have and recover of the defendant W. P. DeNormandie, the sum of One Hundred

District Court Minutes Monday Spring Term, March 16th 1874

Dollars, that being the minimum fine in such cases and agreed to by the District Atty, and all costs in this behalf expended and that said defendant stand committed to the County Jail until said fine and costs are paid

2612

M. C. Hamilton vs. Geo. D. Glapcock — Now comes Plaintiff by his attorney and asks a judgment by default and a writ of enquiry. It is therefore considered by the Court that said Plaintiff recover against the defendant according to the prayer of his petition and that a writ of enquiry be awarded.

1876

State of Texas vs. Alfred Musgrove — Now comes the District Attorney in behalf of the State, and the defendant in person and announce ready for trial, and the District Attorney waiving the maximum fine, the defendant pleads "guilty", and the parties waiving a jury submit the case to the Court, and the minimum fine being fixed by law at one hundred dollars.

It is therefore considered by the Court that the State of Texas do have and recover of and from the defendant Alfred Musgrove the sum of one hundred dollars and all costs of this prosecution, and that said defendant stand committed to the County Jail until said fine and costs are paid.

1824

State of Texas vs. Philip Golden — Now comes the Distrct Atty, in behalf of the State and the defendant in person and announce ready for trial, and the defendant pleading guilty and a jury of good and lawful men, to wit, J. A. Miller and eleven others duly impannelled and sworn according to law, who after hearing the Indictment read and the Charge of the Court retired to consider of their Verdict and returned into Court the following Verdict, to wit: "We the Jury find the defendant guilty and assess the penalty at one dollar. J. A. Miller Foreman"

It is therefore considered by the Court that the State of Texas recover of the said defendant Philip Golden the sum of one dollar and all costs in this behalf expended, and that he stand committed to the County Jail until said fine and costs are paid.

1870

State of Texas vs. A. M. Major — Now comes the District Atty. in behalf of the State in the defendant in person and announce ready for trial, and the

District Court Minutes Monday Spring Term, March 16 1868

District attorney waiving the maximum fine, the defendant pleads guilty, and the parties waiving a jury submit the case to the Court, and the minimum fine being fixed by law at one hundred dollars.

It is therefore considered by the Court that the State of Texas recover of the said defendant A. M. Major the sum of one hundred dollars and all costs of this prosecution and that he stand committed to the County Jail until said fine and costs are paid.

111 State of Texas vs. Andrew Jackson } Dismissed

143 State of Texas vs. N. Needham = Continued for service
477 do vs. J. M. Morris = Continued for service
576 do vs J. B. Beck = Continued for service
1235 do v. W. C. Leggett = Continued for service
1317 do vs. J. A. Esmond = Continued for service
1351 do vs Peter Shemm = Continued for service
1382 do vs A. Chamberlain = Continued for service
1352 do vs. Jesse Grahamel = Continued for service
1468 do vs. John Martin = Alias capias ordered to Trinity County, and cause Continued for service
1528 do vs John Rapp = Dismissed
1489 do vs J. Hurley = Continued for service
1569 do vs. J. K. Malone = Continued for service
1570 do vs do. = Continued for service
1579 do vs A. Nefgers = Continued for service
1584 do vs W. Dibrell = Continued for service
1586 do vs B. N. N. Butts = Continued for service
1587 do vs W. Dibrell = Continued for service
1588 do vs M. Duty = Continued for service
1591 do vs. Hynes & Jones = Dismissed =
1592 do vs Wm Boyd. = Dismissed
1594 do vs Wm Hudson = Dismissed
1595 do vs. F. B. Clifton = Continued for service
1596 do vs. Jos. Jackson = Continued for service
1599 do vs Peter (a Mexican) Continued for service.
1601 do vs. Henry Coleman = Continued for service
1605 do v. J. A. Brown = Continued for service
1607 do vs Pleasant T. John Turner = Alias capias ordered to Bowie County, and cause Continued.
1609 do vs. R. Lightfoot = Continued for service.
1621 do vs. Jenkins = Continued for service
1623 do vs. Moran = Continued for service
1626 do vs. Augustine (Mex) Continued for service
1632 do v, Jno. Turner. = Continued for service.
1644 do vs. Ascar. (f.m.c.) = Continued for service
1647 do vs. Estes & Bloom = Suggestion of the loss of indictments and leave given Dist. Att. to supply =

District Court Minutes, Monday Spring Term, March 16 1868.

1660 State of Texas vs Henry Alexander = Continued for service

1666 State of Texas vs Wheelock et al } Now comes the District attorney and asks that T. G. Logan, Sheriff of Robertson County be fined for failing to arrest the defendant Wheelock. It is therefore considered by the Court that the said T. G. Logan, Sheriff of Robertson Co. be fined in the sum of fifty dollars for failing to make the arrest as aforesaid, and that Scire facias do issue to him returnable to the next term of this Court, commanding him then and there to appear and show cause if any he can, why this judgement should not be made final against him as aforesaid. and that alias capias issue to Robertson Co. for the Defts. and to issue generally - and cause Continued

1690 State of Texas vs Thos. Swisher (f.m.c.) } Alias Capias ordered and cause Continued.

1691 State of Texas vs Aurora Alexander } Alias Capias ordered to San Augustine County, and generally for Defendant and cause continued.

1693 State of Texas vs Bellomy, Whitsett et al } Alias capias ordered to Panola County for Bellomy, and to Harrison ~~Co~~ County for Whitsett, and cause continued. And it is further ordered that C. M. Cobb an Constable of Fannin County be fined in the sum of fifty dollars for failing to arrest the defendant Whitsett, and that Scire facias do issue to him returnable to the next term of this Court, commanding him then and there to appear and show cause if any he can why this judgment should not be made final against him as aforesaid.

1695 State of Texas vs Tom Ochilree } Alias capias ordered generally and cause Continued.

1699 State of Texas v. Sampson Murray } Alias capias ordered and cause Continued

1700 State of Texas v Sampson Murray } Alias capias ordered and cause continued

1720 State of Texas v - Fugett } Continued for service.

1755 State of Texas v Dan Morris = Continued for service

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1758	State of Texas v Ochiltree & Whitlock	Continued for service
1759	State of Texas v O. W. McFarland	Continued for Service
1782	State of Texas vs Brown Sawyer	Continued for Service
1786	State of Texas vs Cranch Sal	Continued for Service
1793	State of Texas v W. P. Rutledge	Continued for service, and alias capias ordered to Williamson County.
1794	State of Texas vs W. P. Rutledge	Continued for service, and alias capias ordered to Williamson County.
1800	State of Texas vs Catina Sueis Rias	Continued for service, and alias capias ordered generally and Bexar County.
1801	State of Texas v Albert. (Fred)	Continued for service and alias capias ordered
1805	State of Texas v George Jack	Continued for service and alias capias ordered to DeWitt County.
1809	State of Texas v Chester Williams	Continued to await service in Penitentiary
1817	State of Texas v John Jackson	Continued for service
1878	State of Texas v A. B. D.	
1822	State of Texas v Matlock & Alexander	Alias capias ordered cause continued

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1833 State of Texas vs Lewis Hornsby } Continued by the State

1840 State of Texas vs Jack Sommers } Dismissed on motion of District atty.

1841 State of Texas vs Jack Sommers } Dismissed on motion of District atty.

1849 State of Texas vs Jack Sommers } Dismissed on motion of District atty.

1852 State of Texas vs Jack Sommers } Now comes the District atty in behalf of the State and the defendant in person and by attorney, and announce themselves ready for trial, and the defendant pleading guilty came a jury of twelve good and lawful men, to wit: J. A. Miller and eleven others duly empannelled and sworn who after hearing the Indictment read, plea of guilty and Charge of the Court retired to consider of their Verdict, and returned into Court the following verdict to wit: "We the jury find the prisoner guilty and ask his punishment, Five years in the Penitentiary J. A. Miller, Foreman, Jury No 1."

It is therefore ordered, adjudged and decreed by the Court that the defendant Jack Sommers be confined at hard labor in the Penitentiary of the State of Texas for the period of five years, according to the Verdict of the Jury- and that he be remanded to Jail to await his sentence.

1880 State of Texas vs John Coy } Ordered that Messrs Walton and Shaks be appointed to defend in this case

1889 State of Texas vs Samuel Johnson } Now on this day appeared in open Court the defendant Samuel Johnson as principal and Washington Hammett and A. R. Crozier as his Securities and acknowledged themselves to owe and be indebted unto the State of Texas in the sum of one thousand dollars each to be levied upon their respective goods and chattels, lands and tenements, but to be void nevertheless upon condition that the defendant Samuel Johnson make his personal appearance before the District Court of Travis County, now in session to answer to the Charge of theft of a filly, and there and remain

District Court Minutes, Monday Spring Term, March 16th 1868

from day to day and from term to term of said Court and that he do not depart the Court without leave, otherwise this recognizance to be and remain in full force and effect.

1890 — State of Texas vs Samuel Johnson — Now on this day appeared in open Court, the defendant Samuel Johnson as principal, and Washington Hammett and A. R. Crozier as his sureties and acknowledge themselves to owe and be indebted unto the State of Texas in the sum of One thousand dollars each, to be levied upon their respective goods and chattels, lands and tenements but to be void nevertheless upon condition that the defendant Samuel Johnson make his personal appearance before the District Court of Travis County, now in Session, to answer to the charge of theft of a pony and there remain from day to day and from term to term of said Court and that he do not depart the Court without leave, otherwise this recognizance to remain in full force and effect.

2662 — State of Texas vs Wm Hudson — On motion of the District attorney, It is ordered by the Court that the judgment nisi rendered in this case, at a former ~~term~~ term of this Court, be set aside, and that the defendant go hence fully discharged.

2721 — L. Rentfro, Surv. wife &c. vs James P. Hector — Death of Plff. L. Rentfro, suggested since the rendition of the judgment by defend. It is therefore considered by the Court that her legal representatives be made parties Plff. hereto when known, and cause continued.

2766 — L. Rentfro vs W. M. Grumbles — Death of Plff. suggested since the rendition of the nisi judgment. It is therefore considered by the Court that the legal representatives of Plff. be made parties hereto when known and cause continued.

Whereupon Court adjourned till tomorrow morning 9 o'clock.

Tuesday March 17th 1868.

Court met at 9 o'clock a.m. pursuant to adjournment present the same as on yesterday.

1834 — State of Texas vs J. H. Davis — Ordered that Messrs. Bowers and Shelby be appointed to defend in this cause, and bail ~~bail~~ bail fixed at $~~1000~~ 500.00 and cause continued on affidavit of Deft.

District Court Minutes, Tuesday Spring Term, March 17th 1868.

1834 J

State of Texas vs J.H. Davis

Now on this day appeared in open Court, J.B. Sedwick, George Washington George Matthews and Peyton Hancock in their own behalf of the State & acknowledge themselves to owe and be indebted unto the State of Texas in the sum of One hundred dollars each, severally to be levied upon their respective goods and Chattels, Lands and tenements but to be void nevertheless upon condition that the said Sedwick, Washington, Matthews and Hancock make their personal appearance before District Court of Travis County, to be begun and holden on the first Monday in September 1868 then and there to testify as witnesses in behalf of the State in the above cause, and that remain from day to day and from term to term of said, and that they do depart thence without leave of said Court otherwise this recognizance to remain in full force and effect.

1835 V

State of Texas vs Caroline McNeased

Now comes the District attorney in behalf of the State and the defendant in person and by attorney and announce themselves ready for trial, and the defendant pleading "not guilty" come a jury to wit. J.A. Miller and eleven others duly impannelled and sworn according to law who after hearing the evidence addyced, the argument of Counsel and the Charge of the Court retired to consider of their Verdict, and returned into Court the following verdict to wit. "We the jury find the defendant not guilty. J.A. Miller, foreman" "jury No 1"

It is therefore considered by the Court that said ~~defendant~~ State of Texas take nothing by her said suit, and that the defendant go hence ~~finally~~ discharged from said indictment.

1856 L X

State of Texas vs Isham Smith

Now comes the District Attorney in behalf of the State and the defendant in person and by attorney and announce ready for trial, and the defendant pleading "guilty" come a jury, to wit. W.R. McFarland and eleven others duly impannelled and sworn according to law who after hearing the Indictment read, and Charge of the Court retired to consider of their Verdict, and returned into Court the following verdict, to wit: "We the jury find the defendant guilty and assess the fine at Twenty dollars W.R. McFarland, foreman"

It is therefore ordered, adjudged and decreed by the Court that the State of Texas do have and recover of the defendant Isham Smith, the sum of Twenty Dollars, and all costs of this prosecution, and that said defendant stand committed to the County Jail until said fine and costs are paid.

District Court Minutes, Tuesday Spring Term, March 17th 1868

1873 — The State of Texas vs. Joseph Walker — Now comes the District attorney in behalf of the State, and the defendant by his attorney and announce themselves ready for trial, and the defendant by his attorney pleading "guilty", come a jury, to wit. W. R. McFarland and eleven others duly empannelled and sworn according to law, who after hearing the Indictment read, and the charge of the Court, retired to consider their verdict, and returned into Court the following verdict, to wit. "We the jury find the defendant guilty and assess the fine at One hundred dollars ($100 00) W. R. McFarland Foreman"

It is therefore considered by the Court that the State of Texas do have and recover of and from the defendant Joseph Walker the sum of One hundred dollars and all costs in this behalf expended, and that he stand committed to the County Jail until said fine and costs are paid

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

Wednesday, March 18th 1868.

Court met at 9 o'clock A.M. pursuant to adjournment, present the same as on yesterday.

And thereupon it is ordered by the Court that James B. Cassidy be fined in the sum of ten dollars for failing to appear before the Court as a juror after having been regularly summoned to appear as such and that Scire facias do issue to him returnable to the next term of this Court, commanding him then and there to appear and show cause if any he can why this judgment should not be made final against him as aforesaid. - The above fine is remitted

1697 — The State of Texas vs. Robbins & Bibey — Continued by agreement as to Robbins and alias Capias ordered to Williamson County for Bibey and cause continued.

1866 — The State of Texas vs. John Gallagher — Now comes the District attorney in behalf of the State and the defendant in person and by attorney, and announced themselves ready for trial, thereupon the defendant pleads "not guilty" then come a Jury, to wit. W. R. McFarland and eleven others duly empannelled and sworn according to law, who after hearing the evidence adduced, the argument of Counsel and the Charge of the Court, retired to consider of their verdict, and returned into Court, the following Verdict, to wit. "We the find the defendant not guilty, W. R. McFarland, Foreman"

It is therefore considered by the Court, that the State of

District Court Minutes, Wednesday Spring Term, March 18th 1868.

Texas take nothing by his said suit, and that the defendants hence fully discharged from said Indictment.

And thereupon It is ordered by the Court that J. M. Oakland the following named persons, who were summoned to serve as Jurors at this term of the Court and failed to appear in obedience to said summons be fined in the sum of Twenty five dollars each. 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 should not be made final against them as aforesaid to wit. J. M. Oakland, A. Moore, A. Blomeke, R. C. McKaren, Peter Smith and J. G. Tarleton. The above fines as to A. Blomeke and all the rest are remitted.

J. A. Carpenter vs Geo. P. Warren } March 14th 1868. Arbitration

2778

And now on this day came the parties to this suit by their Attorneys and thereupon came on to be heard, the motion made by the Plaintiff J. A. Carpenter to make the award of the arbitrators George W. Davis and L. T. Dunn, the judgment of the Court, and that it be entered of record, As such, and after due consideration the Court orders and decrees, that said motion be granted, and that said Award, which is in words and figures following viz:

"J. A. Carpenter vs George P. Warren } Arbitrators' Award.

We, the undersigned having been duly sworn to act as Arbitrators in the foregoing Cause, and having heard the evidence in the case, and the argument of Counsel for both parties. After duly Considering the same have agreed upon, and return the following as our judgment and award in said cause.

First. That both of said parties have expended equal amounts of money and labor, in the Construction of said Fishery - and their interests are equal.

Second. That if they cannot agree to keep it jointly and continue the partnership. The said J. A. Carpenter shall fix the value of the Fishery and said Warren shall have the election to give the said Carpenter the value of said Carpenter's interest as fixed, or take the same for his own interest. We cannot affix the value on account of absence of proof as to its value. If the parties fail to accept and act upon this agreement, the Fishery is hereby ordered to be sold under execution as other public sales, and the money equally divided between them after paying costs &c. Execution to be issued by the Clerk.

District Court Minutes, Wednesday, Spring Term, March 18th 1868.

Third: We further find from the proof before us, that the said J A Carpenter is indebted to the said George P. Warren in the sum of Thirty dollars the same being due for provisions &c, received by said Carpenter from Warren on private account and not connected with the partnership interest.

Witness our hands and seals for seals, this the 11th of March 1868.

G.W. Davis Seal
L.T. Vann Seal
Arbitrators.

be and the same is hereby made the judgment of the Court. And it is further ordered adjudged and decreed by the Court, that the Clerk as in other cases, issue execution in accordance with the terms of said award, for the sale of the property therein mentioned.

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

Thursday March 19th 1868.

Court met pursuant to adjournment, at 9 o'clock a.m. present the same as on yesterday.

Whereupon Court adjourned till to-morrow morning 9 o'clock

Friday March 20th 1868.

Court met at 9 o'clock a.m. pursuant to adjournment present the same as on yesterday

1861 — State of Texas vs Geo. W. Malone } Now on this day appeared in open Court Geo. W. Malone as principal and John B. Perry and J. L. Nichols as his Securities 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 respective goods and Chattels, Lands and tenements, but to be void nevertheless upon Condition that the said Geo. W. Malone shall make his personal appearance at the District Court of Travis County now in session to answer the Charge of Killing a hog the property of Addison Smith, preferred against him by the Grand Jurors of Travis County at the Spring Term of said Court, 1868, 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, else this recognizance to remain in full force and effect.

1862 — State of Texas vs Geo. W. Malone } Now on this day appeared in Open Court Geo. W. Malone as principal and J. B. Perry and J. L. Nichols as his Securities and

District Court Minutes, Friday Spring Term, March 20th 1868.

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 respective goods and chattels, lands and tenements, but to be void nevertheless upon condition that the said Geo. W. Malone shall make his personal appearance before the District Court of Travis County now in session, to answer the charge of killing a stray Colored Sow not his own and there remain from day to day and from Term to Term of said court and that he do not depart thence without leave, otherwise this recognizance to remain in full force and effect

1863 — State of Texas vs Geo. W. Malone

Now on this day appeared in open Court Geo. W. Malone as principal and J. B. Perry and J. L. Nichols as his Sureties 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 respective goods and Chattels, lands and tenements, but to be void nevertheless upon condition that the said Geo. W. Malone shall make his personal appearance before the District Court of Travis County, now in Sesion, to answer the charge of killing a White Sow and ten pigs not his own preferred against him by the Grand Jurors of Travis County at the Spring Term of said Court 1868, and there remain from day to day and from Term to Term of said Court and that he do not depart thence without leave otherwise this recognizance to remain in full force and effect.

Whereupon Court adjourned till tomorrow morning 9 o'clock.

Saturday March 21st 1868.

Court met pursuant to adjournment at 9 o'clock a.m. present the same as on yesterday.

Whereupon Court adjourned till Monday morning 9 o'clock.

Monday March 23rd 1868. Court

met at 9 o'clock a.m. pursuant to adjournment.

2739 — Lucy A Johnson vs J. H. Walker or wife

Ordered that Benjamin Walker have leave to intervene in this cause.

1845 — State of Texas vs Thomas Ake & Elijah Oates

Now comes the District Attorney in behalf of the State, and the defendants in person and by their attorneys and announced themselves ready for trial. Whereupon the

District Court Minutes, Monday Spring Term, March 23rd 1868.

the defendants pleaded "not guilty" then come a Jury of twelve good and lawful men of Travis County, to wit: T. Bostick and eleven others duly empaniselled and sworn according to law, who after hearing the Indictment read, and the plea of the prisoners, the evidence, the argument of Counsel and Charge of the Court, retired to consider of their Verdict, and after due deliberation returned into Court the following Verdict to wit: "We the Jury find the defendants, Thomas Ake & Elijah Oats, guilty of murder in the Second degree and asess the punishment at twenty (20) years in the Penitentiary. T. Bostick, foreman."

It is therefore ordered, adjudged and decreed by the Court that the Defendants Thomas Ake and Elijah Oats be confined, at hard labor, in the State Penitentiary for the period of Twenty years according to the Verdict of the Jury trying the cause and that they be remanded to jail to await sentence.

And thereupon it is ordered by the Court that Jacob Raney, who was summoned to serve as a juror at this term of the Court and failed to appear in obedience to the Summons be fined in the sum of Twenty five Dollars and that Scire Facias do issue to him returnable to the next Term of this Court Commanding him then and there to appear and show cause if any he can why this judgment should not be made final against him as aforesaid.

The above fine is remitted.

Mitchell & Sperry
vs
J. S. Holman

Now come the Plaintiffs by their Attorneys and ask a final judgment by default, and it appearing to the Court that the defendant has been legally served with process, and failing to appear and answer within the time prescribed by law, And it appearing further, that the cause of action is based upon a liquidated demand, as shown by a promissory note on file in this cause.

It is therefore ordered adjudged and decreed by the Court that the Plaintiffs Edwin S. Mitchell and John N. Sperry do have and recover of the said defendant J. S. Holman the sum of Five Hundred and Forty-Four and 49/100 Dollars, principal debt and interest to date, with interest thereon at the rate of eight per Cent per annum till paid, togeth with all costs in this behalf expended for all which Execution may issue.

District Court Minutes, Monday Spring Term, March 23rd 1868.

1865 — State of Texas vs Moses Scott — This cause being called for trial the defendant motion to quash the Indictment coming on to be heard and the same being argued by Counsel and duly considered by the Court, It is ordered and adjudged by the Court that said motion be and the same is hereby sustained, and that said Indictment be quashed.

1847 — State of Texas vs Robert Brown — Ordered that this cause be continued by consent of parties.

1848 — State of Texas vs Robert Brown — Now on this day appeared in open Court J. B. Banks a witness in the above cause, and acknowledged himself to owe and be indebted unto the State of Texas in the sum of Two Hundred dollars, to be levied upon his goods and Chattels, lands and tenements, but to be void nevertheless upon condition that the said J. B. Banks shall appear as a witness in the above cause at the next term of this Court, to be holden on the first Monday in September, 1868 and then remain from day to day and from term to term of said Court, to testify in behalf of the State in said cause, and that he do not depart said Court without leave, otherwise this recognizance to remain in full force and effect. and that this cause stand Continued by Consent.

Whereupon Court adjourned till to morrow morning 9 o'clock.

Tuesday March 24th 1868.

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

1844 — State of Texas vs O. Wilcox — Now comes the District Attorney in behalf of the State and the defendant in person and by his attorneys and announce themselves ready for trial, and the defendant pleading "not guilty" come a jury of twelve good and lawful men of Travis County, to wit: F. Jourdan and eleven others, duly impannelled and sworn according to law, who after hearing the indictment read, the plea of the Prisoner, the argument of Counsel and the Charge of the Court retired to consider of their Verdict and after due deliberation returned into Court the following verdict, to wit: "We the Jury find the Prisoner not guilty. F. Jourdan

Foreman"

It is therefore Ordered adjudged and decreed by the Court that the State of Texas take nothing by her said Suit, and that the defendant O. Wilcox go hence without day, fully discharged from said Indictment.

Whereupon Court adjourned till tomorrow morning 9 o'clock

Wednesday March 25th 1868

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

1848 — State of Texas vs Robert Brown

Now on this day appeared in Open Court, M.C. Davis & entered in the above cause, and acknowledged himself to owe and be indebted unto the State of Texas in the sum of Two Hundred Dollars to be levied upon his goods and Chattels, lands and tenements, but to be void nevertheless upon condition that he shall make his personal appearance at the next Term of this Court to testify in the above cause in behalf of the State, and there remain from day to day and from term to term of said Court, and that he do not depart thence without leave, otherwise this recognizance to remain in full force and effect.

1582 — State of Texas vs Wm & Charles Ake

The motion to quash the Indictment in this cause coming on to be heard and the same being argued by Counsel and duly considered by the Court, It is ordered that said motion be sustained, and that said Indictment be quashed.

1868 — State of Texas vs Thomas Freeman, colored

Now comes the District Attorney in behalf of the State and the defendant in person and by attorneys and announce themselves ready for trial, and thereupon come a jury, to wit: T. Bostick and eleven others duly empanelled and sworn according to law, who 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 the defendant not guilty, T. Bostick foreman"

It is therefore considered by the Court that the defendant Thos. Freeman go hence without day fully discharged from said Indictment.

District Court Minutes, Wednesday 5th Day Term, March 25th 1868.

1867 — State of Texas vs Thos Freeman — Now comes the District attorney in behalf of the State and the defendant in person and by attorneys and announce themselves ready for trial and the defendant pleading "not guilty" come a jury to wit. T. Bostick and eleven others duly empannelled and sworn according to law who after hearing the plea of the prisoner and charge of the Court retired to consider of their verdict and returned into Court the following verdict, to wit: "We the jury find the defendant not guilty, T. Bostick foreman." It is therefore considered by the Court that the defendant go hence fully discharged from said Indictment.

1848 — State of Texas vs Robert Brown — Now on this day appeared in open Court F. M. Meeks and S. D. Meeks, with in the above cause 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 respective goods and chattels Lands and tenements, but to be void nevertheless upon condition that they make their personal appearance at the next term of this, to testify in behalf of the State in the above cause, and there remain from day to day and from term to term of said Court, and that they do not depart said Court without leave otherwise this recognizance to remain in full force and effect.

2776 — Richard Patrick vs E. Tenneyck surviving partner of E. & A. Tenneyck — And now on this day come the Plaintiff by his attorney, to execute the writ of inquiry awarded by the Court in this case, at a former day of the term, and thereupon come a jury of twelve good and lawful men, to wit W. R. McFarland and eleven others, who being duly elected, tried, empannelled and sworn, after hearing the evidence adduced and Charge of the Court, retired to consider of their verdict and returned into Court their verdict in words and figures following: "We the Jury find for the Plaintiff in the sum of Twenty nine thousand one hundred and twenty eight Dollars and ten Cents ($29,128.10) being principal and interest on the six several notes. And we also find the land liable for the payment as claimed by the Plaintiff. W. R. McFarland, Foreman"

It is therefore ordered adjudged and decreed by the Court that the Plaintiff Richard Patrick do have and recover of the defendant E. Tenneyck surviving partner of E. & A. Tenneyck, as such surviving

partner and as an individual, the sum of Twenty Nine thousand one hundred and twenty eight 10/100 Dollars found by the Jury aforesaid. And it is further ordered, adjudged and decreed by the Court, that the Plaintiff Mortgage set up by the said Plaintiff in his petition, on the land therein described be, and the same is hereby foreclosed - the said lands being described as follows: 1. An undivided two thirds of the South or East half of a third of a league of land, in the waters of Wilbargers Creek in Travis County, about fifteen miles North East from the City of Austin, granted to Theophilus Ellison, by letters patent bearing date July 28th 1845, and described by metes and bounds, thus: bounded and described as follows: Beginning at the S.E. corner of Survey No. 20, at a stake and mound for the S.W. corner of Survey No. 22, Thence North 30° East with the line of said Survey (2326) Two thousand three hundred and twenty six varas, to a stone mound for the North West corner of Survey No. 22, Thence South 60 East (2888) two thousand Eight hundred and Eighty eight varas, to another stake and mound, for the North East corner of Survey No. 22, Thence South 30° West (2975) Two thousand nine hundred and seventy five varas to a mound for the South East corner of Survey No. 22. Thence South 60° West (2486) two thousand four hundred and Eighty-six varas to the South West corner of Survey No. 63 at a stake and mound. Thence North 30° East (649) six hundred and forty nine varas, to the North East corner of Survey No. - at a stake and mound - Thence North 60° West (410) four hundred and ten varas to the place of beginning. 2nd Two thirds undivided of Seven hundred and Sixty Seven and one half acres of land out of the William Hines Survey for one league and labor about Eighteen miles East from the City of Austin on the waters of Wilbargers Creek being the tract conveyed to W. P. De Normandie by Henry W. Sublett by deed bearing date November 5th A.D. 1855.

3rd Also all that tract of land described as follows being two hundred and thirty acres in the County of Burnett conveyed by deed from James Rogers to David Knight dated March first, One thousand eight hundred and fifty five & therein described as being in the County of Williamson & being part of a Survey of three hundred and twenty acres, being the North West portion of said Survey, beginning at the North west corner of said Survey. Thence South 7° West 964 varas to a stake. Thence South 19° East 1344 varas to a stake. Thence North 7° East 984 varas to a stake. Thence North 19° West to the beginning.

4th Also one tract of land in Cooke County on the Salt fork of the Brazos River about 29 miles

N. 50 W. from Fort Belknap described as follows: Beginning at the S. W. corner of J. D. Hardin's Survey No 13. Thence West 1052 varas to a stake from which a mesquite bears N. 31 W. 100 varas another bears N. 38½ W. 110 varas both marked X. Thence North 1052 varas a stake. Thence East 1052 varas a stake on the W. line of No 13. Thence South 1052 varas the place of beginning. Containing one $\frac{106400}{1000000}$ Labors.

5th Also one other tract of land situated in Young County on the East fork of the Brazos River about 28½ miles N 49° W. from Fort Belknap, beginning at the S. W. Corner of Survey No 12. Thence West 1344 varas a pile of stones from which a mesquite bears S. 65° W. 40 varas another bears S. 38 W. 50 varas both marked X. Thence North 1344 varas a stake. Thence East 1344 varas a stake. Thence South 1344 varas the place of beginning. Containing three hundred and twenty acres.

And it is hereby ordered, adjudged and decreed by the Court that an Order of Sale do issue in this case directed to the Sheriff of Travis County, Commanding him to sell said lands, as herein described in the manner prescribed by law, for cash in hand. And it is further ordered that the moneys arising from said sale, shall be applied to the discharge and satisfaction of this judgment, and should there be a surplus, after the satisfaction of this said judgment the same to be paid into Court, to abide its further order. And it is further ordered that the costs be paid out of the proceeds of said sale.

V

2775

Richard Patrick
vs
W. P. De Normandie

And now on this day comes the Plaintiff by his attorney to execute the writ of inquiry awarded by the Court in this case, at a former day of the term - and thereupon come a jury of twelve good and lawful men, to wit: W. R. McFarland and eleven others, duly empannelled and sworn according to law, who, after hearing the evidence adduced 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 on the 2 notes, principal & interest Seven thousand four hundred and twenty five Dollars 7425.00 and also find the land mentioned in the morgage bound for the payment of said notes T. Bostick Foreman."

It is therefore ordered adjudged and decreed by the Court, that the Plaintiff Richard Patrick do have and recover of the defendant W. P. De Normandie the sum Seven Thousand four hundred and twenty five dollars, found by the jury aforesaid. And it is further ordered, adjudged and decreed by the Court

that the Mortgage set up by the said Plaintiff in his petition on the land therein described, be, and the same is hereby foreclosed, the said lands being described as follows:

1st An undivided one third of the South or East half of a third of a league of land on the waters of Wilbarger's Creek in Travis County about fifteen miles North East from the City of Austin granted to Theophilus Ellison by letters patent bearing date July 28th 1845= and described by mets and bounds thus= Beginning at the S.E. corner of Survey No 20. a stake and mound, for the S.W. corner of Survey No 22, Thence North 30° East with the line of said Survey (2326) two thousand three hundred and twenty six varas, to a stone mound for the North West corner of Survey No 22. Thence South 60° East (2888) two thousand Eight hundred and eighty eight varas to another stake and mound, for the North East corner of Survey No 22. Thence South 30 West (2975) Two Thousand nine hundred and Seventy five varas to a mound for the South East Corner of Survey No 22, Thence South 60° West (2486) two thousand four hundred and Eighty six varas to the South West corner of Survey No 63 at a stake and mound. Thence North 30° East (649) Six hundred and forty nine varas to the North East corner of Survey No — at a stake and mound. Thence North 60° West (410) four hundred and ten varas to the place of beginning. 2nd Also one undivided third of Seven hundred and Sixty seven and one half acres of land out of the William Sims Survey for one League and Labor, about eighteen miles East from the City of Austin on the waters of Wilbargers Creek being the tract conveyed to W. P. De Normandie by Henry W. Sublett by deed bearing date November 5th A.D. 1855.

And it is hereby ordered adjudged and decreed by the Court that an order of sale do issue in this case directed to the Sheriff of Travis County, Commanding him to sell said lands, as herein described in the manner prescribed by law, for cash in hand. And it is further ordered that the moneys arising from said Sale, shall be applied to the discharge and satisfaction of this judgment, and should there be a Surplus after the satisfaction of this said judgment the same to be paid into Court, to abide its further order.

And it is further ordered that the costs be paid out of the proceeds of said Sale.

The Plaintiff by attorney in open Court remits one hundred Seventy eight & 32/100 Dollars - the judgment being excessive to that amount.

James A. Chandler vs W. E. Norton et al } In this case appeared the Plaintiff by his attorneys and dismisses his Suit as against the Defendant W. E.

District Court Minutes, Wednesday Spring Term, March 25 1868.

Bowers. It is therefore ordered adjudged and decreed by the Court, that the Plaintiff take nothing by this his suit as against the defendant M. H. Bowers and that said defendant Bowers go hence without day and that he have and recover of and from the Plaintiff all the costs of this suit, that have accrued for or on account of the said Bowers.

And it appearing to the satisfaction of the Court that the defendants William E. Wooton and Samuel W. Tate have been legally served with process, and it further appearing to the Court, that the defendants William E. Wooton and Samuel W. Tate, having failed to appear and file their answers within the time prescribed by law but wholly made default. And it further appearing to the Court, that this suit is brought upon a liquidated demand to wit. a note of hand.

It is therefore ordered, adjudged and decreed by the Court, that the Plaintiff James A. Chandler, do have and recover of and from the defendants William E. Wooton and Samuel W. Tate the sum of Nine hundred and Seven Dollars, for his principal debt and interest up to this date, with ten per Cent interest thereon from this date until paid, together with all costs in this behalf expended for which execution may issue.

2036.

Wm B Burditt
v.
M. C. Hamilton & Bartlett Sims

In the above entitled and numbered case appeared the parties respectively by their attorneys and waived a jury, and submitted the matter in controversy to the Court, and the pleadings of the parties respectively having been read and the evidence and facts agreed upon and submitted to be true by the parties Plaintiff and defendants, as well as by the said defendants James O Rice, made a party defendant hereto at the instance and on the cross petition of the said defendant, M. C. Hamilton, and the argument of Counsel being heard and considered by the Court.

It is ordered, adjudged and decreed by the Court here, that the said defendant M. C. Hamilton have and recover of and from the said Wm B. Burditt and the said James O. Rice the following described tract or parcel of land, situate, lying and being in the County of Williamson, said State, being six hundred and forty acres of land, bounded and described as follows, to wit.

Beginning on the North bank of Brushy Creek on the South East corner of Survey No 24 at a stake from which an Elm tree bears N 2° E 2 varas distant. Thence North E. 3585 varas to a stake in the prairie for the N. W. corner. Thence S. 80 E. 2017 varas and planted a stake for the North East corner. Thence S. 10° W. 3581 varas to a stake in

in Brush for the S. E. corner from which a cottonwood tree bears South 65° West 7 varas & a pecan bears N. 8 varas. Thence with the meanders of Brushy as follows viz: N. 82° W. 950 vs. N. 76° W. 680 vs, North 84° W. 370 vs to the beginning.

And whereas the said M. C. Hamilton in lieu of the rents and profits of said tract of land, had received and enjoyed by said Burditt and Rice, and for the damage and waste committed by them, said Burditt and Rice on said tract of land, agree and consent to take a certain Donation Land Warrant, to wit: being No. 1089, issued on the day of 18, by B. T. Archer, Secretary of War of the late Republic of Texas, to said Wm. B. Burditt for six hundred and forty acres of land, and the said Burditt and Rice being willing and desirous of surrendering up and transferring said Donation Land Warrant to said Hamilton in lieu of said damages for said rents and profits waste and damages.

It is by the Court here ordered, adjudged and decreed, that all the right, title and interest in and to said Donation Land Warrant be divested out of the said Wm. B Burditt and said James O. Rice, and each of them, and vested absolutely and unconditionally in the said M. C. Hamilton with the right to lift and relocate said Certificate, and have patent thereupon issued to him, said Hamilton as assignee.

It is further ordered, adjudged, and decreed by the Court that said Plaintiff Wm. B. Burditt and the said Defendant M. C. Hamilton, each pay one half the costs of this suit, for which Executions may issue respectively against said parties

1836.

State of Texas vs John Geiscreck } Now comes the District Attorney in behalf of the State and the defendant in person and by attorney and announce themselves ready for trial, and the defendant pleading "not guilty" come a jury, to wit: J. Bostick and eleven others, duly empanelled and sworn, who 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 the defendant not guilty J. Bostick, foreman"

It is therefore Considered by the Court that said defendant go hence fully discharged from said indictment.

Thereupon Court adjourned till to-morrow morning 9 o'clock

Thursday March 26th 1868 Court met at 9 o'clock, A.M. pursuant to adjournment.

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1879 ✓ State of Texas vs John Cox — Now comes the District Attorney in behalf of the State and the defendant in person and by attorney, and announce themselves ready for trial. Thereupon come a jury, to wit: J. B Cassidy and eleven others duly empannelled and sworn according, who after hearing the Charge of the Court retired to consider of their verdict and returned into Court the following verdict to wit: "We the jury find the defendant not guilty. J. B Cassidy Foreman"

It is therefore considered by the Court that said defendant John Cox go hence fully discharged from said Indictment.

1880 ✓ State of Texas vs John Cox — Now comes the District Attorney in behalf of the State and the defendant in person and by attorney and announce themselves ready for trial. Whereupon come a jury to wit: J. B. Cassidy, and eleven others duly empannelled and sworn according to law who after hearing the Charge of the Court returned into Court the following verdict to wit: "We the jury find the defendant not guilty, J. B. Cassidy, foreman"

It is therefore considered by the Court that the defendant John Cox go hence fully discharged from said Indictment.

✓ 1696 State of Texas vs Sant Burditt — Now comes the District Attorney in behalf of the State and the defendant in person and by attorney and announced themselves ready for trial and the defendant pleading "not guilty" come a jury, to wit: J. B. Cassidy, and eleven others duly empannelled, and sworn according to law, who after hearing the Charge of the Court retired to consider of their verdict, and returned into Court the following verdict to wit: "We the jury find the defendant not guilty. J. B. Cassidy, foreman"

It is therefore ordered, adjudged and decreed by the Court that the defendant Sant Burditt go hence without day fully discharged from said Indictment.

✓ 1833 State of Texas vs Lewis Hornsby — Now comes the District Attorney in behalf of the State and the defendant in person and by attorney and announce themselves ready for trial and the defendant pleading guilty. Come a jury of twelve good and lawful men, to wit: J. B Perry and eleven others duly empannelled and sworn

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according to law, who after hearing the Indictment read, the plea of the prisoner and charge of the Court retired to consider of their verdict and returned into Court the following verdict, to wit "We the jury find the defendant guilty and affix his punishment at five years in the State Penitentiary J. B. Perry, foreman."

It is therefore ordered and adjudged and decreed by the Court that the said defendant Lewis Hornsby be confined in the State Penitentiary at hard labor for the period of five years, according to the verdict of the jury trying the case, and that he be remanded to jail to await his sentence.

V
1864

State of Texas vs Ed. Smith

The motion to quash the indictment in this cause coming on to be heard and the same being argued by Counsel and duly considered by the Court, It is considered that said motion be sustained and that said indictment be and the same is hereby quashed.

V
1871

State of Texas vs Moses Scott

Now comes the District Attorney in behalf of the State and the defendant in person and by attorney and announce themselves ready for trial, and the defendant pleading "not guilty" came a jury to wit: J. B. Perry and eleven others duly empannelled and sworn according to law, who 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 the defendant, not guilty, J. B. Perry, foreman"

It is therefore considered by the Court, that said defendant Moses Scott go hence fully discharged from said Indictment.

V
1818

State of Texas vs A. F. Boyce

Continued by consent agreement.

1585
V

State of Texas vs E. Peyton et als

The motion to quash the Indictment in this case coming on to be heard, and the same being argued by Counsel and duly considered by the Court, It is ordered that said motion be sustained, and that said Indictment be quash. And it is further ordered by the Court, that the forfeiture of James Moore's recognizance entered at a former term of this Court be set aside as of March 30th 1867, the same having been ordered to be set aside at that date by Judge Ireland, which was overlooked by the Clerk at that time.

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2663 ✓ State of Texas vs G.R. Scott — It is ordered by the Court that the judgment nisi entered at a former term of this Court be set aside and held for naught. and fine be remitted.

2664 ✓ State of Texas vs W.K. Makinson — It is ordered by the Court that the judgment nisi entered at a former term of this Court in this case, be set aside and fine remitted.

1759 ✓ H.M. Fizer vs Thading & Bunton — On the hearing of this cause in consideration of the pleadings on file and of the Specia issues found by the jury therein under the direction of the Court, it is ordered, adjudged and decreed that Henry M. Fizer the Plaintiff is entitled to a specific performance of the contract made by Thomas B. Thading with him, as against Elizabeth Thading as the administratrix of said Thomas B. Thading, deceased, and as against Deshea Bunton as the administrator of James M. Bunton deceased, with a judgment for the costs of this suit. It is further decreed that said Fizer shall on or before the first Monday in September A.D. 1868 pay the sum of Twenty six Hundred and Thirteen Dollars ($2613) the same being the price of the tract of land located by virtue of the Jesse B. Eanes' Certificate in the petition described, at one dollar per acre, to the Clerk of this Court and that thereupon said Deshea Bunton as administrator as aforesaid shall execute and deliver unto him, the said Fizer or his agent or attorney, a deed for said tract similar in its terms to the deed for the same made by Thomas B Thading to James M. Bunton, and on file in this cause, which deed to said Fizer shall operate as a full and complete title to said tract, which is decreed to be freed from all clouds cast upon the equitable title of said Fizer thereto by Defendants or any person or persons, claiming or to claim said tract by through or under them or any of them.

It is further decreed that the Clerk of this Court on receiving the sum aforesaid and after the execution and delivery by said Deshea Bunton of the deed herein decreed to be executed and delivered shall pay to said Deshea Bunton as administrator &c, the sum of two Thousand Dollars ($2000.00) less the one half the costs of this suit, and shall pay the residue of the sum first aforesaid, less the remaining one half the costs to Elizabeth Thading as admtx &c. It is further decreed that in case the Plaintiff Fizer should fail to pay as has been hereinbefore decreed, his right to a specific performance shall cease, determine, and be concluded from and after the expiration of the first Monday of

September A.D. 1868 and that in that event the costs of this suit shall be certified against the Estates of the deceased defendants, and that each of said Estates shall pay the one half thereof in due course of administration and in pursuance of this decree.

And now comes into open Court the District Attorney and files the following Information

V
1891

State of Texas
vs
Herman Gobbart

Exhibiting a gaming device

J. T. Chandler
vs
Charles Hunter &
F. W. Chandler

2624

In this case appeared the Plaintiff by his attorney, and the Defendant F. W. Chandler by his attorney. And it appearing to the Court that the defendant Alexander Charles Hunter has been legally served with process, and that he has failed to appear and file his answer within the time prescribed by law, but wholly made default.

It further appearing to the Court, that this suit is brought upon a liquidated demand, to wit. a note of hand. And the defendant Chandler having waived a jury and submitted the matter in controversy to the Court, after the evidence introduced by the Plaintiff and the defendant F. W. Chandler.

It is ordered, adjudged and decreed by the Court that the Plaintiff take nothing by this his suit as against the defendant F. W. Chandler. that the defendant Chandler, go hence without day and recover of and from the Plaintiff J. T. Chandler all the costs of this suit for or on account of the defendant F. W. Chandler. It is further ordered, adjudged and decreed by the Court that the Plaintiff J. T. Chandler do have and recover of and from the defendant Charles Hunter the sum of Eight Thousand Two hundred and Twenty-Five Dollars for his principal debt and interest up to this date with ten per Cent interest from this date until paid. and interest to be added on the interest on this judgment at the end of every twelve months from this date at eight per Cent per annum together with all costs of this suit, for all which Execution may issue.

V
1869

State of Texas
v
Edward Smith

Now comes the District in behalf of the State and the defendant in Person and by attorney, and the motion to quash the Indictment in this case coming on to be heard, and the same being argued by Counsel and duly considered by the Court the same was overruled, and

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thereupon the parties announced themselves ready for trial, and the defendant pleading "not guilty" came a jury, to wit: J.B. Cassidy and eleven others duly empannelled and sworn according to law, who after hearing the Indictment read, the plea of the prisoner, 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 the Defendant guilty and ass[ess] his punishment at two years in the Penitentiary. J.B. Cassidy, foreman"

It is therefore considered ordered, adjudged and decreed by the Court that the defendant Edward Smith be confined in the State Penitentiary at hard labor for the period of two years, according to the verdict of jury trying the case, and that he be remanded to jail to await his sentence.

1886 — State of Texas vs Gobbart & Speed — Now comes the District Attorney in behalf of the State and the defendant Gobbart in person, and by attorney, and announced themselves ready for trial, and the defendant pleading "not guilty" came a jury, to wit: J.H. Walker and eleven others, duly empannelled, and sworn according to law, who after hearing the Indictment read, the plea of the prisoner, the argument of Counsel and the Charge of the Court retired to consider of their verdict and returned into Court the following verdict, to wit: We the jury find the defendant not guilty as charged in the Indictment J.H. Walker, foreman."

It is therefore Considered that the defendant — Gobbart go hence without day fully discharged from said Indictment.

2605 — Louis Eilers vs Isaac Jaloviet & ors — Now comes the Plaintiff and dismisses this suit as to the defendant John Hancock.

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

Friday March 27th 1868

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

1891 — State of Texas vs Harman Gobbart — Now comes the District Attorney in behalf of the State and the defendant in person and by attorney and announced themselves ready for trial and the defendant pleading "guilty" came a jury to wit: J.H. Walker and eleven others duly empannelled and sworn according to law, who after hearing the

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plea of the defendant and charge of the Court, retired to consider of their verdict and returned into Court the following verdict, to wit: "We the jury find the defendant guilty and assess the fine at five hundred dollars, J.H. Walker, foreman."

It is therefore ordered adjudged and decreed by the Court that the State of Texas do have and recover of and from the defendant Harman Gobbart, the sum of Five Hundred Dollars and all Costs in this behalf expended, and that he stand committed to the County Jail until said fine and costs are paid.

1848 — State of Texas vs Robert Brown — Now on this day appeared in open Court T.K. Moore, a witness in the above cause, and acknowledged himself to owe and be indebted unto the State of Texas in the sum of Two hundred dollars to be levied upon his goods and chattels, lands and tenements, but to be void nevertheless upon condition that the said T.K. Moore make his personal appearance before at the next term of this Court to testify in the above cause in behalf of the State, and there remain from day to day and from term to term of said Court, and that he do not depart thence without leave, otherwise this recognizance to remain in full force and effect.

1845 — State of Texas vs Thos Ake et als — Ordered that attachments be issued generally for the witness Charles and Harrison Thompson

1831 — State of Texas vs John Glapcock et al — Continued by the State.

1828 — State of Texas vs Hiram Howard — Dismissed on motion of the District Atty.

1784 State of Texas vs. Klein -
1785 Same vs Kline -
1754 Same vs Bruterhoff -
1751 Same vs Barnes. -
1695 Same vs Tom Achiltree -

On motion of the District Attorney, It is ordered that the above five causes be dismissed.

1705 State of Texas v. Martin - Alias Capias ordered & cause continued
1709 Same vs L. Beck - Alias capias ordered to Bexar Co. & generally & continued.
1711 Same v. Frank (Free'd) - Alias Capias ordered generally & cause continued
1712 Same v Same - Alias capias ordered generally & cause continued

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2243 — State of Texas vs J M Swishes — Now on this day came on to be heard the motion filed in this case to dismiss the same, and said motion being argued by counsel and duly considered by the Court, It is ordered that said motion be overruled.

1845 — State of Texas vs Thos Ake & Elijah Oats — The motion for a new trial in this case coming on to be heard, and the same being argued by counsel and duly considered by the Court, It is ordered, adjudged and decreed by the Court that said motion be granted as to Elijah Oats, and that he be granted a new trial, but that said motion as to the defendant Thomas Ake be and the same is hereby overruled, to which ruling the atty for Ake by atty excepts. Whereupon said defendant Thos Ake by his attorney gives notice in open Court of an appeal to the Supreme Court

1838 — State vs John Lynch, Bail fixed at $200. and case continued

1839 — Same vs John Lynch = Bail fixed at $200. and case continued
1842 — State vs Jas Rector = Bail fixed at $100. and case continued
1843 — State v. Jas Rector = Bail fixed at $100. and case continued
1845 — State vs Elijah Oats + als - Continued as Oats.
1846 — State vs Thos Ake + als = Cause Continued
1851 — State vs G W Morris = Bail fixed at $1000. and case continued
1852 — State vs Julius Seidel = Bail fixed at $1000. and case continued
1853 — State vs Anderson Hill = Bail fixed at $1000. and case continued
1854 — State vs Young Houston = Cause Continued.
1855 — State vs John Mifsett = Bail fixed at $200. and case continued
1857 — State vs Johnson Davis = Bail fixed at $100. and case continued
1858 — Same vs Same = Bail fixed at $100. and case continued
1859 — State vs Avis Baker + als = Bail fixed at $200. and case continued
1860 — Same vs Same = Bail fixed at $100. and case continued
1872 — State vs - Scroggins = Bail fixed at $200. and case continued
1874 — State vs N C Eanes = Bail fixed at $1000. and case continued
1875 — State vs Clay Eanes = Bail fixed at $200. and case continued
1877 — State vs James Moore = Bail fixed at $1000. and case continued
1878 — State vs Green Smith = Bail fixed at $200. and case continued
1881 — State vs Julius Seidel = Bail fixed at $1000. and case continued
1882 — State vs Thos Bowles = Bail fixed at $200. and case continued
1883 — State vs Jas P Major = Bail fixed at $200. and case continued
1886 — State vs Gobbard & Speed = Bail fixed for Speed at $100 and continued
1887 — State v Adkins & Sneed = Bail fixed at $500 each, and case continued
1888 — State v F Girard = Bail fixed at $100. and case continued

1759 — C M Fizer vs Nibling & Bunton — The motion for a new trial in this case coming on to be heard, and the same being duly considered by the Court, It is ordered by the Court that said motion be and the same is hereby overruled, whereupon the Defendants by the

Attorneys give notice in open Court of an appeal to the Supreme Court.

1750 J. Davis Jr. vs A. H. Cook et al — The motion in this cause to dismiss the petition and dissolve the Injunction in this cause coming on to be heard and the same being Argued by Counsel and duly Considered by the Court, It is ordered adjudged and decreed by the Court that said motion be and the same is hereby overruled.

1889 State of Texas vs Saml. Johnson — Continued.

1890 State of Texas vs Saml. Johnson — Continued.

1884 State of Texas vs Charles Wooldridge — Now on this day appeared in open Court the Defendant Charles Wooldridge as principal and Allen Musgrove and P. L. Hopkins as his Sureties 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 respective goods and Chattels, Lands and tenements, but to be void nevertheless upon condition that the said Charles Wooldridge make his personal appearance at the next term of this Court, to be held in the City of Austin on the first Monday in September A.D. 1868, to answer the Charge of betting at a gaming table exhibited for the purpose of gaming, preferred against him the said Defendant Charles Wooldridge by the Grand Jurors of Travis County at the Spring Term of said Court A.D. 1868, and there remain from day to day and from term to term of said Court, and that he do not depart thence without leave, otherwise this Recognizance to remain in full force and effect. And it is ordered that this cause be continued.

1827 State of Texas vs Washington Hammett — Now comes the District Attorney in behalf of the State and the Defendant in person and by his Attorneys and announced themselves ready for trial, and the Defendant pleading "not guilty" came a jury to wit. J. H. Robinson and seven others duly empannelled and sworn according to law, who 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 the defendant not

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guilty, J. H. Robinson, foreman"
It is therefore Ordered, adjudged and decreed by the Court that the Defendant go hence without day fully discharged from said Indictment.

2243 — State of Texas vs J. M. Swisher — Ordered that Defendant have leave to withdraw his amended answer and general denial upon his leaving copies of the same on file, and that it shall operate as a withdrawal from the pleadings.

2211 — T. P. Redding vs D. H. Colman — The motion for a new trial in this cause coming on to be heard, and the same being duly considered by the Court, It is ordered, adjudged and decreed that said motion be and the same is hereby overruled. Whereupon the Defendant by his Attorney in open Court gives notice of an appeal to the Supreme Court.

2582 — State of Texas vs — Whereupon Court adjourned till tomorrow morning 9 o'clock.

Saturday March 28th 1868.

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

2582 — State of Texas vs John Rapp et als — The motion to set aside the forfeitures of the Recognizances of S. G. Snead, Ed Christian, A. H. Millican and L. D. Carrington in this cause, coming on to be heard and the same being argued by Counsel and duly considered by the Court. And it appearing to the Court that the Indictment against John Rapp and Ben Thompson had been dismissed at a former term of this Court and that said prosecution was not pending at the time said forfeiture was taken. It is ordered and adjudged by the Court, that the said motion be sustained and that the forfeiture be set aside, and the State take nothing by her said suit, and the defendants go hence without day fully discharged from their said Recognizances as sureties for said Rapp and Thompson

2650 — Elizabeth Gaf & her Children vs C. S. Trot Ex-&c, and others — And now at this day come the Plaintiffs and defendants, the minors being represented by B. H. Davis, Esqr. under the appointment of the Court, and the Commissioner C. S. Trot, having made and filed his report in said cause

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It is ordered by the Court, that the same be received and approved, and the motion to reform said judgment coming on to be heard, after considering the facts and pleadings and the report of Commissioner, and hearing the argument of counsel. It is ordered by the Court, that the original decree rendered 30th March 1867 be reformed and it is therefore decreed by the Court, that the said Commissioner O.S. West in selling the land described in the anginal decree shall not be required to advertise said sale in more than one Newspaper, in addition to written advertisements posted in Brazoria County, and only for such greater length of time than twenty days, as said Commissioner in his discretion may deem most for the interest of the parties.

It is further decreed that the time of sale shall be on the 1st Tuesday in the month, and in such month as the Commissioner may deem most to the interest of the parties. It is further ordered that this case stand continued on the docket for the final report of the Commissioner.

V

2739 Lucy Ann Johnson et al vs Pffs. } And now at this day come
J.H. Walker et al. Defts } the parties to the above cause
& Ben Walker, Intervenor } and also the said Intervenor
Ben Walker, and the Pffs.
motion to sell the property described in the Sheriffs levy of attachment in this case, Coming on to be heard, after argument by the Pffs atty. and the Attorney of the said Intervenor, Ben Walker, It is ordered by the Court, that the motion for the sale of the property attached be granted. And it is accordingly ordered by the Court, that the Sheriff of Travis County on such regular Sale day as he may deem best after giving notice in accordance with the law governing Sheriffs Sales, shall sell, either at the Ranch of the said J. H. Walker, on Barton's Creek, or in the City of Austin as he may deem best, the Stock of Cattle so levied on by him on the 11th November 1867, being about three hundred of cattle branded ○ and marked with a crop off of each ear, and a hole in the right ear, and running on the West side of the Colorado River, on Bartons Creek, in Travis County, and known as the J. H. Walker Stock, and on making said Sale the said Sheriff shall require of the purchaser that he execute his note bearing legal interest from date, for the purchase money, with three or more good and solvent men as securities, payable to himself as Sheriff, which note shall fall due on the first day of the Fall Term of this Court 1868, and to be paid in Court by the Sheriff, and such sale by the Sheriff shall operate to vest in the purchaser all the title to the said cattle of all the parties to this proceeding, the funds arising from said sale to abide the final determination of the cause, and this cause stand continued.

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2467 — J. P. White vs A. J. Hamilton et als — The motion of the Intervenors in this cause to dissolve and dismiss coming on to be heard, and the same being considered by the Court, It is ordered by the Court that the same be overruled.

2467 — J. P. White vs A. J. Hamilton et als — The motion to substitute Governor Pease as a party defendant to this cause coming on to be heard and the same being considered by the Court, said motion is granted.

1869 — State of Texas vs Ed. Smith — The motion for a new trial in this cause coming on to be heard, and the same being considered by the Court, It is ordered that said motion be granted and that a new trial be granted.

2729 — E. A. Merritt vs J. F. Miller — The motion to set the judgment heretofore rendered in this cause coming on to be heard, and the same being duly considered, It is Ordered by the Court that said motion be sustained and new trial granted and judgment thereupon ~~entered be set aside~~ Whereupon the defendant by his counsel gave notice in open Court of an appeal to the Supreme Court.

1892 — A. Butchs vs A. C. Randolph — The motion filed in this cause to set aside a former Order entered in this cause, coming on to be heard and the same being duly considered, It is ordered by the Court that said motion be overruled.

1851 — State of Texas vs Jack Sommers — The prisoner was again placed at the bar, in the custody of the Sheriff and being asked if he had anything to say why judgment and Sentence should not be entered and Sentence pronounced against him, according to the verdict of the jury who tried his cause, and said prisoner giving no sufficient reason. It is ordered, adjudged and decreed by the Court, that the said prisoner Jack Sommers is, and he is hereby adjudged to be guilty of felony as in the Indictment against him in this behalf is alleged. And it is further Considered by the Court, that the said Prisoner Jack Sommers be punished by Confinement in the State Penitentiary for the period of five years as found in the Verdict of the jury as aforesaid. And it is ordered that the Sheriff of Travis County do forthwith take the said Prisoner Jack Sommers, and deliver him to the Agent or Superintendent of said

District Court. Minutes, Saturday Spring Term, March 28 1868.

Penitentiary, to be by him safely confined at hard labor for the space of five years. and that the State of Texas recover of him all the costs of this prosecution

State of Texas
v
Lewis Hornsby
1833
X

The Prisoner was again placed at the Bar in the Custody of the Sheriff. and being asked if he had anything to say why judgment should not be entered and Sentence pronounced against him according to the Verdict of the jury who tried his cause, and said Prisoner giving no sufficient reason.

It is ordered, adjudged and decreed by the Court, that the said Prisoner, Lewis Hornsby is, and he is hereby adjudged to be guilty of felony as in the Indictment against him in this behalf is alleged, And it is further Considered by the Court that the said Prisoner Lewis Hornsby be punished by Confinement in the State Penitentiary for the period of five years as found in the verdict of the jury as aforesaid. And it is Ordered that the Sheriff of Travis County, do forthwith take the said Prisoner Lewis Hornsby, and deliver him to the agent or Superintendent of said Penitentiary, to be by him safely confined at hard labor for the space of five years, and that the State of Texas recover of him all Costs of this prosecution

And thereupon It is ordered by the Court that all cases on the Civil and Criminal dockets of this Court that have not been otherwise disposed of, be and they are hereby continued until the next term of this Court.

The following is a list of the Jury Service at the Spring Term of the District Court of Travis 1868.

No	Names	Days	$	cts	No	Names	Days	$	cts	No	Names	Days	$	cts.
						Grand Jury.								
1	J. P. McCustain	8	16	00	6	J. L. Nichols	8	16	00	11	E. H. Dartes	8	16	00
2	A. G. Gatlin	8	16	00	7	M. K. Ryan	8	16	00	12	D. C. Shelp	8	16	00
3	J. E. Mowinkle	8	16	00	8	Henry Dickinson	8	16	00	13	J. T. Haynes	8	16	00
4	Geo. Susman	8	16	00	9	C. H. Fox	8	16	00	14	J. R. Billingsly	8	16	00
5	S. Cummins	8	16	00	10	J. H. Robinson	8	16	00	15	H. C. Bingaman	8	16	00
										16	Henry Hollingsworth	8	16	00
						Petit Jury.								
1	Ed. Billingsley	6	12	00	7	Henry Reid	6	12	00	13	F. H. Kleyn	5	10	00
2	A. B. Newman	6	12	00	8	Jas. Cassidy	22	44	00	14	B. C. Bennett	6	12	00
3	W. E. Risher	2	4	00	9	J. B. Barrin	5	10	00	15	E. S. Berry	6	12	00
4	C. L. Freeman	3	6	00	10	J. B. Perry	22	44	00	16	S. P. Brown	6	12	00
5	Ed. Reiford	6	12	00	11	J. S. Bowles ✓	21	42	00	17	Chas. Johnson	6	12	00
6	J. A. Baker	14	28	00	12	I. M. Hammett	5	10	00	18	J. Luckinger	6	12	00

District Court Minutes, Saturday Spring Term, March 27 1868

	19	A.G. Buddington	12	24	00	43	Robt Barr ✓	3	6	00	67	R.H. Hargrove	6	12	
	20	J. Newsham	10	20	00	44	L. McKinzie ✓	22	44	00	68	L. Roberson	3	6	
	21	H Hawkins	6	12	00	45	J. Parton	3	6	00	69	Wm Bozette	6	12	
	22	E. Morris	6	12	00	46	J.H. Walker	9	18	00	70	A. Gillis	12	24	
	23	T. Hill ✓	6	12	00	47	Jas Whitehead ✓	6	12	00	71	W.F. Bingner	5	10	
	24	Green Thornton	6	12	00	48	L. Hazel	6	12	00	72	Jas Robinson	3	6	
	25	J.M. Thomas	23	46	00	49	A.S. Roberts	6	12	00	73	Ed. Zimmerman	5	10	
	26	J.L. Brown	3	6	00	50	Reles Spence	6	12	00	74	J.J. Tarleton	1	2	
	27	Tom Evans ✓	13	26	00	51	Sam Cooper	6	12	00	75	Geo. Harlen	2	4	
	28	Spence Robinson	5	10	00	52	C. Ragsdale	6	12	00	76	S.G. Kingsbury	6	12	
	29	Tom Hancock	3	6	00	53	F. Bostick ✓	23	46	00	77	Peter Bratton	5	10	
	30	J. Raney	3	6	00	54	F. Jordan	7	14	00	78	P.H. Jobe	5	10	
	31	Clabe Hawkins	3	6	00	55	B.O. Staveley	6	12	00	79	E.S. Cohen	7	14	
	32	Levi Green	9	18	00	56	S.E.M. Farland	6	12	00	80	Jas Hockey	5	10	
✓	33	W.R.M. Farland ✓	17	34	00	57	Josh Patterson	6	12	00	81	J. Stromberger	5	10	
	34	N.M. Singleton	3	6	00	58	Wm Stelfox	8	16	00	82	A. Blonnike	5	10	
	35	W.L. Nitschke	9	18	00	59	Wm Patterson	6	12	00	83	J.N. Robinson	2	4	
	36	Jno. Price	6	12	00	60	W.J. Oliphant	6	12	00	84	S.L. Hopkins	2	4	
	37	J.M. Sims	6	12	00	61	Wm Gibson	2	4	00	85	A.N. Jurgenson	2	4	
	38	T.K. Montgomery	6	12	00	62	R.P. Wright	6	12	00	86	A. Klein	2	4	
	39	H.M. Hutz	6	12	00	63	Milton Wright	5	10	00	87	J.H. Washington	2	4	
	40	Peter Smith	7	14	00	64	A. Rice	5	10	00	88	J.G. Booth	2	4	
	41	J.M. Mansfield	6	12	00	65	J.A. Miller	6	12	00	89	R.S. Bacon	4	8	
	42	J.W. Hudson	12	24	00	66	A. Musgrove	18	36	00	90	H. Setteglast	7	14	
											91	Wm. Hammett	5	10	

✓ 2646 — Wilson Green vs Joseph Harrell — Ordered that Plaintiff have leave to amend his petition making A.H. Barnes a party Pff. to this suit.

✓ 2701 — Phelps & Johnston vs W.B. & S.A. Nichols — Upon motion of Plaintiffs' atty. It is ordered that the judgment heretofore rendered in this cause be set aside, and the death of the Dft. W.B. Nichols suggested and case continued.

✓ 2710 — Thos. Eborn vs J.P. Hector — Ordered that Pft have leave to amend

And thereupon It is ordered that Radcliff Platt Sheriff of Travis County, be and he is hereby allowed Twenty Five Dollars extra, ~~for his~~ services at this Term of the Court

And thereupon It is ordered by the Court that A.H. Cullen, Deputy Clerk of the District Court of Travis County, be and he is hereby allowed Twenty five dollars for extra services rendered at this term of the Court.

District Court Minutes, Saturday Spring Term, March 28th 1868.

The Minutes of the present Term of the District Court of Travis County, State of Texas, having been read in open Court as the Statute requires, are hereby approved and it is ordered that Court be now adjourned until the next regular Term.

A J Thornton
Judge 2nd District.

District Court Minutes, ... Term, ... 186

The State of Texas } On this the 30th day of July AD 1868 we
County of Travis } Frank Brown, Clerk of the District Court of
Travis County, and A.F. Otto, Clerk of the
County Court in said County, in presence of W.D. Scott Esq. Justice of the
Peace of said County, have proceeded as the law requires at the
Clerks office of said County, to draw the Names of Ninety Six persons
duly qualified to attend at the next term of the District Court
of said County, to serve as Jurors, when the following named
persons were drawn, to wit:

1st Jury

1	D.W.C. Baker	33	W.J. House	65	Julius Nitschke
2	Eli Green (C)	34	C. Hornberger	66	Louis Fitz
3	Newton Howard	35	Ferdinand Wilhelm	67	Wm A. King
4	C.L. Freeman	36	F.W. Klug	68	L.E. Carrington
5	L.B. Collins	37	Theodore Sturzwag	70	W.R. Baker
6	Ed. Carrington (C)	38	Addison Rose	71	Jos. Cawelfield
7	E.S. Cohen	39	Nelson Scott	72	Wm. Bruggerhoff
8	Saml. Cooper	40	Tobias Durst		4th Ward
9	J.A. Baker	41	Fred Jordon	73	H.G. Thurman
10	Chas. J. Smith	42	John Nowland	74	J.S. Watson
11	F.T.E. Peet	43	John Banes	75	Newton Collins (C)
12	E. Buck	44	N.A.M. Lackey	76	Geo. Butler (C)
13	Jno. Boyd	45	Chas. Dodge	77	Adison Smith
14	Joseph Thomas (C)	46	Jas. Daugherty	78	J.J. Miller
15	Hiram Harlson	47	Thos. Merry	79	W.L. Nitschke
16	L.S. Laken	48	Jas. M. Pitt.	80	Robt. Brown
17	M.R. Jones		5th Venire	81	J.M. Caldwell
18	J.W. Cloud	49	J.C. Pierce	82	L. Franklin (C)
19	S.P. Brown	50	Nehemiah Johnson	83	H.N. Stanley
20	Peter Gregg (C)	51	J.W. England	84	J.G. Cawelfield
21	Louis Pflugs	52	C.C. Duty	85	D.D. Bonner
22	D.L. Crop	53	Henry Hawkins (C)	86	Geo. Swisher (C)
23	C. Robb	44	Jeremiah Plummer	87	Chas. Clark (C)
24	E.W. Hoffer	55	W.F. Bengines	88	Josephus Scott
	2d Jury	56	W.M. Scott	89	H. Schantz
25	D.G. Hemphill	57	Thos. Hill (C)	90	Goodloe
26	Chas. Johnson	58	A.M. Davidson	91	A. Bahn
27	Jos. Hickey	59	John Daugherty	92	Geo. Harrison (C)
28	Isaac Snead (C)	60	Wm. Swank	93	Chas. Vaughan
29	A.J. Mills	61	E. Bradley (C)	94	J.W. Barkson
30	Robert Jones	62	~~Mack~~ W. McDonnell (C)	95	E. Carrington (C)
31	Conrad Pflugs	63	Mack Madison (C)	96	W.T. Caldwell
32	S. Bostick	64	Joseph Culberson		

In witness whereof we hereunto subscribed our names
this the 30th day of July AD 1868

Frank Brown, Clk. D.C.T.C.
per O'Sullivan dpt

Venire for the Grand Jury
issued July 17 1868.
O'Sullivan Dpt. Clk.

Atty. F. Otto Clk Co Court T.C.
W.D. Scott J.P.

District Court Minutes, Fall Term, Sept 7 1868

The State of Texas } Be it remembered, that on the 7th day
County of Travis } of September AD 1868, the same being the
time fixed by law for the meeting of the District
Court of Travis County, at the Courthouse of said County,
a District Court for said County of Travis was opened according
to law, the Hon. J. J. Thornton, Judge of the 2d Judicial
District of said State, presiding, present Frank Brown, Clerk
of said Court and Radcliff Platt Sheriff of said County
whereupon the following proceedings were had, to wit.

And thereupon the Court ordered the Sheriff to call the names
of the persons summoned to serve as Grand Jurors at this
Term of the Court, and a sufficient number not answering
to their names, the Sheriff was ordered to call a sufficient
number of those summoned as petit jurors, to fill up the
Grand Jury which was accordingly done. Whereupon the
Court proceeded to examine them upon their oath as to their
qualifications as Grand Jurors, when the following were found
to be duly qualified, to wit: Alfred Smith, David Eppright, L. T.
Vam, John Buttery, Wash Hammett, Robert Johnson, J. V. Jones,
H. T. Patterson, Wm Gibson, B. F. Stanley, C. Robb, Fred Jourdan,
Thos Merry, S. P. Brown, and N. A. M. Lackey. Whereupon said
Jurors were duly Sworn, empannelled and Charged for and
during the present term of the Court.

And thereupon is ordered by the Court that the Criminal
Docket be set for trial on Monday next, the 14th inst.

98 Alex. Thompson et als } Continued
E. S. C. Robertson et als }

1164 W. D. Thomson }
C. & A. Reidel } Continued.

1752 Thos. Eborn }
vs. } Defendant has leave to amend answer.
M. R. Cannon's admr. }

1844 C. Thompson }
vs } Death of Alexander Thompson suggested.
W. D. Thomson et als } also the death of F. A. Thomson and W. D.
Thomson suggested, and the heirs of
Alexander Thompson ordered to be made
parties Plaintiff, and also the ~~executors~~ heirs of W. D.
and F. A. Thomson be made parties defendant and cause
Continued.

1913 F. J. Barziza admr }
vs } Continued to make parties.
J. S. Holman }

District Court Minutes Monday Fall Term, Sept. 7th 1868

2138	J. H. Lightfoot vs W. A. Lightfoot	Continued.
2158	J. E. Pickle vs Glascock & Millican	In this case appeared George W. Glascock Jr. Executor of the last will and testament of George W. Glascock Sen. and submits to the Court his petition to be made a party defendant. It is therefore ordered, adjudged and decreed by the Court that the said George W. Glascock Executor of the last will and testament of the deceased Geo. W. Glascock dec'd, be and he is hereby defendant with full powers to defend this suit.
2218	W. Sams vs M. T. Johnson et al	Continued to make parties.
2220	Wm. Jones vs D. C. Watrous	Continued to make parties
2300	J. Harrell vs R. J. Townes et al	On motion of Plaintiff it is ordered that this cause be dismissed at Plffs. Costs.
2366	H. W. Lummis vs A. W. Bridges et al	Continued to make parties.
2391	S. M. Swenson vs Thos. McKinney	Continued for service.
2450	W. A. Ryan vs J. C. & J. M. McDavid	Defendant has leave to amend answer.
2524	Rutherford & Rector vs W. R. Baker	On motion It is ordered this case be dismissed at Defendants costs. It is therefore considered that the Pffs recover of the Defendant all costs in this behalf expended for which execution may issue.
2532	W. Burdon vs Geo. W. Glascock	In this case appeared Geo. W. Glascock Jr. Executor of the last will and testament of Geo. W. Glascock Sen. and submits to the Court his petition to be made a party defendant. It is therefore considered by the Court that the said Geo. W. Glascock Jr. Executor &c, be and he is hereby made deft. with full powers to defendant this suit.

District Court Minutes, Monday Fall Term, Sep. 7. 1868

2542 Jos. Harrell v A. H. Cook — On motion it is ordered that this case be dismissed at the defendants costs. It is therefore considered by the Court that the Plff. recover his costs from the dfts. for all which execution may issue.

2718 Chas. Wordwife v Thos. H. Jones, admr. — Plaintiffs and defendant have leave to amend.

2735 John McMiller v Joseph Harrell — Dismissed at Dfts costs.

2738 C. H. Deison v Geo. W. Glafcock — In this case appeared Geo. W. Glafcock Jr. by his attorney and suggests the death of the defendant Geo. W. Glafcock, and moves the Court to be made a party Defendant in this case, as Executor of the last will and testament of the said Defendant.

It is therefore considered by the Court, that the said George W. Glafcock Jr. be, and he is hereby made defendant in this suit, as the Executor of the last will and testament of the said Geo. W. Glafcock dec'd with full powers to defend the same.

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

Tuesday September 8th 1868. Court met pursuant to adjournment at 9 o'clock A.M.

222 B. Grumbles & wife vs J. J. Grumbles & als — Continued to make parties

187 Robert Mitchell v M. C. & J. Burditt — Continued as on affidavit Plaintiff.

316 J. J. Grumbles v Green & Pace — Continued to make parties.

2059 Ed. Grumbles v W. S. Oldham — Death of Dft. Oldham suggested and cause continued.

8829 H. P. Hill v J. J. Grumbles & al — Leave granted to make Robert A. Clements and Cornelia J. Clements parties defendant, and cause Continued.

District Court Minutes, Tuesday Fall Term, Sept. 8th 1868

1162 — A. G. Harell vs E. M. Pease, Gov. &c — Ordered that this cause be dismissed for non-compliance with the rule for costs.

1528 — J. S. Thompson vs J. Dyches Sal — Continued.

Law License — Julius F. Oatman & C. H. Cullen, — Law License

On the application of Julius F. Oatman and C. H. Cullen for license to practice as Attorneys and Counsellors at Law in the Courts of this State, accompanied by Certificates from the County Court of Travis County, that said Oatman and Cullen have been residents of this State at least six months: that they are twenty-one years of age, and have a good reputation for moral character and honorable deportment, the Court appointed N. G. Shelley, A. S. Walker and F. W. Chandler Esquires, practicing Attorneys, a Committee to make the examination required by law, and said applicants being present, the said Committee proceeded in open Court to make the required examination: and the said Committee and the Court being satisfied of the legal qualifications of said Oatman and Cullen. It is therefore ordered that the Clerk of this Court, make out licenses to said applicants according to law.

1613 — M. R. Cannon et al vs Martha Smith et al — Continued

1623 — W. R. Baker vs L. J. Nichols — Continued

1667 — John Edgar vs L. J. Nichols et als — Continued.

1685 — P. Wilcox et al vs E. M. Smith et al — On motion It is ordered that this case be dismissed, each party paying ~~their~~ one half of the costs.

1693 — L. J. Capidy, adm. vs John King — Continued to make parties

District Court Minutes Tuesday Fall Term, Sept. 8 1868

P. B. Calhoun v George Hancock — Continued

1728

Thos. Eborn v M. R. Cannon adm — Plaintiff has leave to amend petition.

1752

E. Henry et al v A. M. Davidson — Continued

2013

John Bremond v J. B. Hammett — Continued to make parties.

2360

Alfred Smith v L. Moke — Continued

2547

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

Wednesday September 9th 1868

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

Blackwell & Ricks vs F. W. Ledbetter — On motion. It is ordered by the Court that this case be dismissed at Pffs costs.

2298

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

Thursday September 10th 1868

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

Whereupon Court adjourned till to-morrow morning 8 o'clock

Friday September 11th 1868

Court met at 8 o'clock a m, pursuant to adjournment.

2797 John Horan vs F. M. Fitzhugh — Continued for service.

2809 Quincy Davidson vs Jas. W. Allen — Continued for service.

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

District Court Minutes, Saturday Fall Term, Sept. 12, 1868

Saturday September 12th 1868

Court met at 9 o'clock am. pursuant to adjournment.

2587	J. M. Blackwell vs The City of Austin	}	Plaintiff has leave to amend
1752	Thos. Eborn vs M. R. Cannon's adm'r.	}	Leave granted to Pff and Dft to amend.

Now on this day appeared the Grand Jury duly empanelled and sworn for and during the present term of this Court and through their foreman, Alfred Smith, presented to the Court the following Bills of Indictment, to wit:

1895	State of Texas vs Ben. Thompson	}	Assault with intent to kill and murder
1896	State of Texas vs N. Puckett	}	Theft from a house
1897	State of Texas vs George Golden	}	Disturbing religious worship
1898	State of Texas vs Fanny Johns	}	Theft from a house
1899	State of Texas vs Moses Scott	}	Theft from a house.
1900	State of Texas vs N. Baker (Col'd) Wm Brown	}	Assault with intent to kill and murder.
1901	State of Texas vs Sam Pipes	}	Assault with intent to kill and murder
1902	State of Texas vs Anderson Scroggins	}	Theft of a mule.

District Court Minutes, Saturday Fall Term, Sept. 12th 1868

1903	State of Texas vs Wid Washington	Rape
1904	State of Texas vs Tho. Freeman (and) Wm. Davis	Theft from a house
1905	State of Texas vs John Rogers	Theft of a mare and Colt.
1906	State of Texas vs Charles High	Theft of a mule.

And thereupon said Grand Jury through their foreman Alfred Smith suggested to the Court that there was further business before them. Whereupon they were ordered to retire upon a further discharge of their duties.

Whereupon Court adjourned till Monday morning 9 o'clock.

Monday September 14th 1868

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

And now on this day appeared in open Court the Grand Jury and through their foreman Alfred Smith presented to the Court the following bills of Indictment to wit:

1907	State of Texas vs Baker, Geo. Goldenrod	Disturbing religious worship
1908	State of Texas vs Jeremiah Ogle	Larceny
1909	State of Texas vs Jeremiah Ogle,	Larceny.
1910	State of Texas vs Richard Rutherford	Using an estray ox.

District Court Minutes, Monday Fall Term, Sept 14th 1868

1911 State of Texas v August B Braker } Branding a yearling not his own

1912 State of Texas v B. N. C. Bancom } Theft of a Beef steer

1913 State of Texas v Joseph Jones } Illegal marking

1914 State of Texas v James Gatlin } Theft of a beef steer

1915 State of Texas v Wm Rochester } Theft from a house

1916 State of Texas v James Tedders et als } Burglary

1917 State of Texas v James Tedders et als } Burglary

1918 State of Texas v Henry Conner } Theft of money from a house

And said Grand Jury, through their foreman Alfred Smith, having suggested that there was further business before them, were ordered to retire upon a further discharge of their duty.

1752 Thomas Ebow vs C. R. Perry, Maria Cannon, now Maria Allen and W. T. Allen her husband, Adms of W. R. Cannon, decd } And now at this day come the parties to the above entitled cause and announced themselves ready for trial, and by agreement waive a Jury and submit the matters of law and

back to the Court, and the Court having heard the pleadings, the evidence and argument of Counsel adjudged as follows:

1st It is ordered, adjudged and decreed by the Court that the Plaintiff, Thos Ebow do have and recover of and from the Defendants as administrators of the Estate of W. R. Cannon deceased, the sum of Twelve hundred and five and 40/100

District Court Minutes, Monday Fall Term, Sept 14 1868

Dollars (with 12 per cent from date until paid $1205.40). And it further appearing to the Court that the said Plaintiff has a Mortgage executed by Defendants Intestate in his lifetime on 1500 acres of land in Travis County, being part of the Headright of William Cannon, dec'd and beginning at the North West corner of said Cannon League, and extending around nearly in a square so as to include the said fifteen hundred acres.

It is further ordered that the Sheriff of Travis County sell said above described land in accordance with the Statute as Sheriff's Sales are made, and apply the proceeds to the payment of the above judgment in favor of said Ebon, and if there is any excess after paying the same and costs of suit, that such excess be paid over to the Defendants, and if the proceeds of the sale shall fail to satisfy the money judgment herein rendered, then it is ordered that the unsatisfied balance of said judgment be certified to the Probate Court of Hays County, there to be ranked among the debts of the Estate of W.R. Cannon, and to be paid in due Course of administration.

2nd It further appearing to the Court, that the said Plaintiff has fully paid the balance due as was ascertained and adjudged in this case on the tract of land of 434⅓ acres purchased by him of W.R. Cannon on the 20th day of January 1855, and for which he had Cannon's bond for title of that date, which bond is set out in the pleadings. It is ordered, and decreed by the Court, that all the right, title and interest of the Estate of the said W.R. Cannon, deceased, in and to the land before described being the same land set forth in said bond, to wit:

Commencing at the S.W. corner of a tract deeded to B. F. Johnson, a stake near the mouth of a small branch that empties into Boggy Creek. Thence West 1700 varas to a corner. Thence S.30° W. 1510 varas intersecting the North line of the Slaughter League. Thence East with the said line of the Slaughter League, it being also the South line of the Cannon League 1882 varas to the corner of the N at Tully tract of 400 acres. Thence N.30° E. with the line of said Terry's tract 1438 varas to the corner of the Tully tract on the South line of B. F. Johnson's tract. Thence N.67° W. 154 varas to the place of beginning. Containing 434⅓ acres of land, be and the same is hereby divested out of said Estate and vested fully and absolutely in the said Plaintiff Thomas Ebon.

3rd It is further ordered that the Plaintiff Ebon do have and recover of and from the said Defendants all the costs of this suit, and the same be certified to the Probate Court of Hays County for payment, and that all the parties go hence &c. And thereupon came the Plaintiff and Defendants both at once and gave notice in open Court of an appeal to the Supreme Court.

District Court Minutes, Monday Fall Term, Sept. 14th 1868

143	State of Texas v M. Needham	Dismissed by Dist. atty
477	Same v J. M. Morris	Dismissed by Dist atty.
576	Same v T. B. Beck	Dismissed by Dist. atty.
1235	Same v W. C. Leggett	Continued for service
1317	Same v J. H. Esmond	Continued for service
1351	Same v Peter Stem	Dismissed by Dist atty.
1382	Same v A. C. Chamberlain	Continued for service
1352	Same v Jesse Graham et als	Continued for service
1460	Same v John Martin	Continued and alias capias ordered to Trinity or any other County where the dft may be found.
1489	Same v J. Hurley	Continued alias Capias ordered generally.
1569	Same v J. K. Malone	Continued for service
1570	Same v J. K. Malone	Continued for service
1579	Same v Antonio Nepgin	Continued for service

District Court Minutes, Monday Fall Term, Sept 14th 1868

1584	State of Texas v W. Dibrell	Continued for service
1586	Same v B. & N. Butts	Continued for service
1587	Same v W. Dibrell	Continued for service
1588	Same v M. Duty	Continued for service
1595	Same v F. B. Clifton	Continued for service
1596	Same v Jas. Jackson	Continued for service
1598	Same v Cyrus Puckett	Alias capias ordered and continued
1599	Same v Peter, Mexican	Dismissed by Dist. Atty.
1600	Same v Rafe Grumbles	Dismissed by the Dist atty.
1601	Same v Henry Coleman	Dismissed by Dist atty.
1604	Same v S. G. Sneed et al	Dismissed by Dist. atty.
1605	Same v J. H. Brown	Continued for service
1607	Same v Pleasant & John Furnes	Now comes the District atty. and asks that Fred Williams Sheriff of Barnet County fined for

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failing to return Capias. It is therefore considered by the Court that the said Fred Williamson Sheriff of Barnet County be fined in the sum of fifty Dollars for failing to return the capias against Pleasant and John Turner, and that Scire facias do issue to him returnable to the next Term of this Court, commanding him then and there to appear and show cause if any he can why this judgment should not be made final against him. and cause continued and alias capias ordered to Barnet County.

1609 State v Randall Lightfoot } Continued

1621 Same v Jenkins } Continued for service.

1622 State of Texas v Michel } Plaintiff / Defendant } This case being called for trial, the defendant failing to appear and answer to the Indictment in this case, he and his securities W. B. Burditt, Tom Bowles and J. J. Musgrove being distinctly called at the door of the Court House of Travis County, and the defendant after a reasonable length of time still failed to appear, and it appearing to the Court, that the defendant - Michel with the said W. B. Burditt, Tom Bowles and J. J. Musgrove as his securities, did execute the Bail Bond on file in this case, substantially as follows: Dated 7th day of January A.D. 1868 payable unto the State of Texas in the sum of One hundred dollars, Conditioned that the said defendant - Michel make his personal appearance at the District Court of said County of Travis on the first Monday in March 1868, to answer the Indictment preferred against the said defendant Michel by the Grand Jurors of Travis County at the Spring Term A.D. 1866, for playing at a game with cards in a house commonly used 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. Which said Bond is forfeited and it is considered by the Court that the State of Texas do have and recover of the said Michel the said sum of One hundred dollars and of his said securities the sum of One hundred dollars, and that this judgment will be made final unless good cause be shown at the next term of this Court why the said defendant Michel did not appear. And further ordered that Citations do issue to the said securities - Alias Capias ordered.

1623 State of Texas vs Moran } Continued for service.

1624 State of Texas vs Wm Thompson } Plaintiff vs Defendant } This case being called for trial the defendant Wm Thompson, failing to appear and answer to the Indictment in this case, he and his securities W.R. Baker and Ben Thompson being distinctly called at the door of the Court House of Travis County, and the defendant after a reasonable length of time still failed to appear; and it appearing to the Court that the defendant Wm Thompson with the said W.R. Baker and Ben Thompson as his securities, did execute the Bail Bond on file in this case substantially as follows: Dated 21st day of December 1867, payable unto the State of Texas in the sum of Two hundred dollars, conditioned that the said defendant Wm Thompson make his personal appearance at the District Court of said County of Travis on the first Monday in March 1868, to answer the Indictment preferred against the said defendant Wm Thompson by the Grand Jurors of Travis County at the Spring Term A.D. 1867, for playing at a game with cards in a house commonly used 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. Which said Bond is forfeited. And it is considered by the Court, that the State of Texas do have and recover of the said Wm Thompson the said sum of Two hundred dollars and of his said securities the sum of Two hundred dollars, and that this judgment will be made final unless good cause be shown at the next term of this Court why the said defendant Wm Thompson did not appear. And further ordered that Citations do issue to the said securities.- Alias Capias ordered and Cause Continued.

1626 State of Texas vs Augustine, Mexican } Continued for service

1628 Same vs J.B. Perry } It is ordered by the Court, that the application for a Continuance in this cause by the District Attorney be overruled, Whereupon the District Attorney dismissed the case for want of the State witnesses.

1632 Same vs John Turner } Continued for service

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x

1636 State of Texas vs Lewis Elgin } Plaintiff } Defendant } This cause being called for trial the defendant Lewis Elgin failing to appear and answer to the Indictment in this case, he and his securities J.C. Armstrong and G.G. Elgin being distinctly called at the door of the Court house of Travis County, and the defendant, after a reasonable length of time still failed to appear, and it appearing to the Court, that the Defendant Lewis Elgin with the said J.C. Armstrong and G.G. Elgin as his securities, did execute the Bail Bond on file in this case substantially as follows Dated 27th day of August 1867 payable unto the State of Texas in the sum of Five Hundred dollars, conditioned that the said defendant Lewis Elgin make his personal appearance at the District Court of said County of Travis on the first Monday in September 1867 to answer the Indictment preferred against ~~him~~ the said Defendant Lewis Elgin by the Grand Jurors of Travis County at the Spring Term AD. 1866 adultry, and there remain from day to day and from Term to Term of said Court and that he do not depart thence without leave and said Court. Which said Bond is forfeited, And it is Considered by the Court that the State of Texas ~~recover~~ do have and recover of the said defendant Lewis Elgin the said sum of Five Hundred Dollars and of his said securities the sum of Two hundred and fifty dollars each and that this judgment will be made final unless good cause be shown at the next Term of this Court why the said defendant Lewis Elgin did not appear. And further ordered that Citations do issue to the said securities- Alias Capias ordered and Cause Continued.

1637 State of Texas vs Celia Staveley } Continued for service.

1644 Same v Oscar, (Fred) } Continued for service

1645 Same v Carr } Continued by the State

1649 Same v Estes & Blount } Continued for service.

1656 Same v Schelling } Continued for service and Alias Capias ordered

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1657 State of Texas, vs Schelling } alias Capias ordered & cause continued by State

1646 Same vs Will Walter } Plaintiff / Defendant } This cause being called for trial the Defendant Will Walter failing to appear and answer to the Indictment in this case, he and his security Joseph Martin being distinctly called at the door of the Courthouse of Travis, and the defendant after a reasonable length of time still failed to appear, and it appearing to the Court that the defendant Will Walter with the said Jos. Martin as his security, did execute the Bail Bond on file in this case substantially as follows: Dated 20th day of November A.D. 1866, payable unto the State of Texas in the sum of One Hundred And fifty Dollars, conditioned that the said Defendant Will Walter make his personal appearance at the District Court of said County of Travis instanter to answer the Indictment preferred against the said defendant Will Walter by the Grand Jurors of Travis County at the Fall Term A.D. 1866, for playing Cards in a house for retailing spirituous liquors and there remain from day to day and from term to term of said Court, and that he do not thence without leave of said Court. Which said Bond is forfeited, And it is considered by the Court that the State of Texas do have and recover of the said Will Walter the said sum of One Hundred and fifty dollars and of his said security the sum of One Hundred and fifty dollars, and that this judgment will be made final unless good cause be shown at the next term of this Court why the said defendant Will Walter did not appear, and further ordered that Citations do issue to the said security.

1647 State of Texas, vs Will Walter } Plaintiff / Defendant } This cause being called for trial, the defendant Will Walter failing to appear and answer to the Indictment in this case, he and his security Joseph Martin, being distinctly called at the door of the Court House of Travis County, and the defendant after a reasonable length of time still failed to appear, and it appearing to the Court that the defendant Will Walter with the said Joseph Martin as his security, did execute the Bail Bond on file in this case substantially as follows: Dated 20th day of November 1866, payable unto the State of Texas in the sum of One Hundred and fifty dollars conditioned that the said Defendant Will Walter, make his personal appearance at the District Court of said County of Travis instanter to answer the Indictment preferred against the defendant Will Walter by the Grand Jurors of

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Travis County at the Fall Term AD 1866 for playing
cards in a house for retailing spirituous and there
remain from day to day and from Term to Term of said
Court, and that he do not depart thence without leave
of said Court. Which said Bond is forfeited, and
it is considered by the Court that the State of Texas do have
and recover of the said Will Walter the said sum
of One Hundred and fifty dollars, and of this said
Security the sum of One Hundred and fifty dollars, and
that this judgment will be made final unless good
cause be shown at the next term of this Court why the
said defendant Will Walter did not appear, and
further ordered that citation do issue to the said
Security.

1652 State of Texas, Plaintiff } This Cause being called for trial
vs } the defendant H. Green, failing
H. Green, Defendant } to appear and answer to the
Indictment in this case, he and his security
A. Eilers being distinctly called at the door of the
Court House of Travis County and the defendant, after
a reasonable length of time, still failed to appear, and
it appearing to the Court that the defendant H. Green
with the said A. Eilers as his security did execute the
Bail Bond on file in this case, substantially as follows
Dated 20th November 1866, payable unto the State of
Texas in the sum of One hundred and fifty dollars
conditioned that the said defendant H. Green make his
personal appearance at the District Court of said County
of Travis instanter to answer the Indictment preferred
against the said defendant H. Green by the Grand Jurors of
Travis County, at the Fall Term AD 1866 for playing
Cards at a place 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. Which said Bond is forfeited,
And it is considered by the Court that the State of Texas
do have and recover of the said H. Green, the said
sum of One Hundred and fifty Dollars, said Security to be
this judgment will be made final, unless good cause
be shown at the next term of this Court why the
said defendant H. Green did not appear. And fur-
ther ordered that citation do issue to the said security

1652 State of Texas, Now comes the District attorney and
vs } asks that that — Pressler a witness
H. Green } in the above cause be fined, and states
that he has been summoned, and that
he is a material witness in said cause. Therefore
it is considered by the Court that said witness —
Pressler fined in the sum of fifty dollars for

failing to appear as a witness in the above cause in obedience to said subpoena, and that Scire facias do issue to him returnable to the next term of this Court, Commanding him then and there to appear and show cause if any he can why this judgment should not be made final against, and an attachment awarded.

1652 State of Texas } Now comes the District Attorney and asks
vs } that — Schultz, a witness in the above
H. Green } cause, be fined and states to the Court that he has been duly ~~subpoenaed~~ subpoenaed, and that he is a material witness in said cause, Wherefore it is considered by the Court that said witness Schultz be fined in the sum of Fifty dollars for failing to appear as a witness in said cause in obedience to said subpoena 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 can why this judgment should not be made final. and attachment awarded.

1655 State of Texas } Now comes the District Attorney
vs } and asks that Chas. Behnke, a
John Eikel } witness in the above cause, be fined,
and states to the Court that he is a material witness in said cause. It is therefore considered by the Court that said Chas Behnke be fined in the sum of Fifty dollas for failing to appear in obedience to the subpoena served upon him, 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 can why this judgment should not be made final against him. And attachment awarded.

1655 State of Texas } Now comes the District Attorney and
vs } asks that — Schultz a witness in
John Eikel } the above cause be fined, and states
that he has been duly subponaed and
that he is a material witness in said cause.
It is therefore considered by the Court that said witness Schultz be fined in the sum of Fifty dollars for failing to appear in obedience to said Subpoena and that Scire facias issue to him returnable to the next term of this Court, Commanding him then and there to ~~Enter~~ appear show cause if any he can why this judgment should not be made final against him, And attachment awarded.

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v
1655 State of Texas } Now comes the District Attorney
vs } and asks that — Presley a ma
John O'Kel } trial witness in this case be found
and stab that he has been duly
subpoenaed. It is therefore considered by the
Court that that the said witness — Presley be fine
in the sum of Fifty dollars for failing to appear
in obedience to said subpoena and that Scire
facias ipso to him returnable at the next term of
this Court, commanding him then and there to
appear and show cause if any he can, why
this judgment should not be made final again
him, And attachment awarded.

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1653 State of Texas } Plaintiff } This cause being called for
vs } } trial the defendant John
John O'Gorman } Defendant } O'Gorman failing to appear
and answer to the Indictment in this case
he and his security John H. Robinson being distinctly called
at the door of the Court House of Travis County, and the
defendant, after a reasonable length of time still failed to appear
And it appearing to the Court that the defendant ~~with~~ John
O'Gorman, with the said John H. Robinson as his security
did execute the Bail Bond on file in this case substantially
as follows: Dated 20th day of November 1866, payable unto
the State of Texas in the sum of One hundred and fifty
dollars conditioned that the said defendant John O'Gorman, make
his personal appearance ~~instanter~~ at the District Court of said
County of Travis instanter, to answer the Indictment preferred
against the said Defendant John O'Gorman by the Grand Jurors
of Travis County at the Fall Term AD 1866, for playing
Cards at a house for retailing Spirituous liquors, and
there remain from day to day and from term to term of
said Court, and that he do not depart thence without
leave of said Court. Which said Bond is forfeited,
And it is considered by the Court, that the State of Texas do have
and recover of the said John O'Gorman the said sum of One
hundred and fifty dollars and of his said security the sum
of One hundred and fifty dollars, and that this judgment
will be made final unless good cause be shown at the
next term of this Court why the said defendant John
O'Gorman did not appear, and further ordered that
Citation do ipso to the said security. And attachment
awarded for the witness Schultz.

v
1654 State of Texas } Plaintiff } This cause being called
vs } } for trial the defendant
John O'Gorman } Defendant } John O'Gorman failing to
appear and answer to the Indictment in
this case he and his security John H. Robinson being
distinctly called at the door of the Court House of Travis

County, and the defendant after a reasonable length of time still fail to appear, and it appearing to the Court that the defendant John O'Gorman with the said John H. Robinson as his security did execute the Bail Bond on file in this case substantially as follows: Dated 20th day of November 1866, payable unto the State of Texas in the sum of one hundred and fifty dollars conditioned that the said defendant John O'Gorman make his personal appearance at the District Court of said County of Travis instanter to answer the Indictment preferred against the said defendant John O'Gorman, by the Grand Jurors of Travis County at the Fall Term A.D. 1866, for playing cards at a house for retailing spirituous liquors, and there remain from day to day and from term to term of said Court, and that he do not depart thence without leave of said Court. Which said Bond is forfeited, and it is considered by the Court that the State of Texas do have and recover of the said John O'Gorman the said sum of One hundred and fifty dollars, and of his said security the sum of one hundred and fifty dollars, and that this judgment will be made final unless good cause be shown at the next term of this Court why the said defendant John O'Gorman did not appear, and further ordered that citation do issue to the said security - And attachment awarded for the witness Behnke.

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1655 State of Texas, Plaintiff } This cause being called for
vs } trial the defendant John
John Eikel, Defendant } Eikel failing to appear and
answer to the Indictment in this case
he and his security C. Steupy being distinctly called at
the door of the Court House of Travis County, and the
defendant, after a reasonable length of time still failed
to appear, and it appearing to the Court that the defen-
dant John Eikel with the said C. Steupy as his security
did execute the Bail Bond on file in this case substantially
as follows: Dated 20th day of November 1866, payable
unto the State of Texas in the sum of One hundred and
fifty dollars, conditioned that the said defendant John
Eikel make his personal appearance ~~instanter~~, at the
District Court of said County of Travis, instanter, to answer
the Indictment preferred against the said defendant John
Eikel by the Grand Jurors of Travis County at the Fall Term
A.D. 1866, for playing cards in a house for retailing spirituous
liquors and there remain from day to day and from term
to term of said Court, and that he do not depart thence
without leave of said Court. Which said Bond is forfeited,
And it is considered by the Court, that the State of Texas
do have and recover of the said John Eikel the said
sum of One hundred and fifty dollars, and of his
said security the sum of One hundred and fifty dollars,
and that this judgment will be made final unless

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good cause be shown, at the next term of this Court why the said defendant John Eitel did not appear. And further ordered that citation as issue to the said security. And attachment awarded for the witness in the case.

Whereupon Court adjourned till to morrow morning 9 o'clock

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Court met at 9 o'clock am, pursuant to adjournment.

1659 State of Texas v Dohme & Behnke — Now comes the District attorney, and asks the Court to fine — Braunes a material witness for the State in this cause, and states that he has been duly subpoenaed and failed to appear.

It is therefore considered by the Court that the witness Braunes be fined in the sum of Fifty dollars for failing to appear in obedience to said subpoena and that Scire facias issue to him returnable to the next term of this Court, commanding him then and there to show cause if any he can why this judgment should not be made final against him, and attachment awarded returnable forthwith.

1659 State of Texas v Dohme & Behnke — Now comes the District attorney and asks the Court to fine — Seddegast, a material witness for the State in this case, and states that he has been duly subpoenaed and failed to appear.

It is therefore considered by the Court that the said witness Seddegast be fined in the sum of Fifty dollars for failing to appear in obedience to said subpoena, 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 can why this judgment should not be made final against him, and attachment awarded returnable instanter

1659 State of Texas v Dohme & Behnke — Now comes the District attorney and asks the Court to fine Jack O'Gorman, a material witness for the State in this cause, and states that he has been duly subpoenaed and failed to appear.

It is therefore considered by the Court that the said witness Jack O'Gorman be fined in the sum of Fifty dollars for failing to appear in obedience to said subpoena, 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 can why this judgment should not be made final against him, and attachment awarded returnable forthwith.

1660 State of Texas v Henry Alexander } Continued and alias Capias award.

1663 State v Perry } Now comes the District Attorney and asks the Court to fine J. M. Hartson a material witness for the State in this cause, and states that he has been duly subpoenaed and failed to appear.

It is therefore considered by the Court that the said witness J. M. Hartson, be fined in the sum of Twenty five dollars for failing to appear in obedience to said subpoena, 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 can why this judgment should not be made final against him. And further ordered that and an attachment be awarded for said witness and also attachment ordered to Hays County for B. Payne, and cause Continued.

1666 State of Texas v Wheelock & Bellamy } Continued for service.

1672 State of Texas v Geo. Susman } Plaintiff / Defendant } This cause being called for trial, the defendant Geo. Susman failing to appear and answer to the Indictment in this cause, he and his security Ed Zimmerman being distinctly called at the door of the Court House of Travis County, and the defendant, after a reasonable length of time still failed to appear, and it appearing to the Court that the said defendant Geo. Susmann with the said Ed Zimmerman as his security did execute the Bail Bond on file in this cause substantially as follows: Dated 20th day of November 1866, payable unto the State of Texas in the sum of One hundred and fifty dollars, Conditioned that the said defendant Geo. Susmann make his personal appearance at the District Court of said County of Travis instanter to answer the Indictment preferred against the said defendant Geo. Susmann, by the Grand Jurors of Travis County at the Fall Term A.D. 1866, for permitting card playing in his grocery, and there remain from day to day and from term to term of said Court, and that he do not depart thence without leave of said Court. Which said

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Bond is forfeited and it is considered by the Court that the State of Texas do have and recover of the said Geo. Susmann the said sum of One hundred and fifty dollars, and of his said security the sum of one hundred and fifty dollars and that this judgment will be made final unless good cause be shown at the next term of this Court, why the said defendant Geo. Susmann did not appear. And further ordered citation do issue to the said security. — And Alias Capias ordered and cause continued.

1672 State of Texas } This cause being called for trial, the
vs } witness Ernst Wogna failing to appear
Geo. Susmann } as a witness in this cause, and it
appearing to the Court that the said witness Ernst Wogna executed a bond for his appearance with Ed. Rundell as his security, substantially as follows. Dated 27th day of May A.D. 1867 payable unto the State of Texas in the sum of Five Hundred dollars, conditioned that the said Wogna make his personal appearance at the District Court of Travis County on the first Monday in September 1867, then and there remain from day to day and from term to term of said Court, then and there to testify in behalf of the State of Texas upon a accusation wherein the State of Texas is Plaintiff and Geo. Susmann is defendant, and shall not depart therefrom without leave of the Court. And further ordered that citations do issue to the said Ernst Wogna and his said security Ed Rundell, returnable to the next term of this Court. Commanding them then and there to appear and show cause why this judgment should not be made final against them, and that attachment be awarded to Washington for the said Wogna, and also to Travis County for the witness Schilling. And Cause continued.

And now on this day appeared in open Court, the Grand Jury of Travis County, duly empannelled and sworn for and during the present term of this Court, and through their foreman, presented to the Court the following Bills of Indictment, to wit:

1919 State } Theft of a horse.
vs }
Thos Swisher }

1920 State } Theft from a house.
vs }
Jas. Tidders }
et als }

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1921 — State of Texa vs Jas Tiddins et als — Theft from a house.

1922 — State v A. Muse — Illegal Branding

1923 — State v Giles Burlson — Theft of a mule

And said Grand Jury through their foreman Alfred Smith, suggested that there was further busines before them, Whereupon they were ordered to retire upon the further discharge of their duties.

1653 — The State of Texas vs John O'Gorman — Plaintiff / Defendant — Now on this day appeared in open Court, John O'Gorman as principal and Granville Crozier and Allen Musgrove as his securities and acknowledge themselves to owe and be indebted unto the State of Texas in the sum of Two Hundred Dollars each to be levied upon their respective goods and chattels lands and tenements but to be void nevertheless upon Condition that the said John O'Gorman make his personal appearance before the District Court of Travis County now in session, to answer to an Indictment preferred against him by the Grand Jurors of Travis County at the Fall Term of said Court 1866, for playing cards at a house kept 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, otherwise this recognizance to remain in full force and effect.

1654 — State of Texas vs John O'Gorman — Plaintiff / Defendant — Now on this day appeared in open Court, the Defendant John O'Gorman as principal and Granville Crozier and Allen Musgrove as his securities, and acknowledge themselves to owe and be indebted unto the State of Texas in the sum of Two Hundred dollars Each, to be levied upon their respective goods, ~~lands~~ and Chattels, lands and tenements, but to be void nevertheless upon condition that the defendant John O'Gorman make his personal appearance before the District Court of Travis County now in session, to answer to an Indictment preferred against him by the Grand Jurors of Travis County at the Fall Term of said Court 1866, for playing cards at a house kept 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

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Cave of said Court, otherwise this recognizance to remain in full force and effect.

1681 — State of Texas v Jurgenson — On motion of the District attorney, It is ordered that this cause be dismissed on account of the absence of States witness

1681 — State of Texas v Jurgenson — Now comes the District attorney and states that the evidence - Schultz, a witness in this cause, is material, and that said witness has been duly subpoenaed and fail to appear.

It is therefore considered by the Court that said Schultz be fined in the sum of Fifty dollars for failing to appear as a witness in this cause in obedience to said subpoena, 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 can why this judgment should not be made final against him.

1681 — State of Texas v Jurgenson — Now comes the District attorney and states to the Court, that the evidence of J. H. Keller, a witness in this cause is material, and that he has been duly subpoenaed and failed to appear.

It is therefore Considered by the Court, that said witness J. H. Keller be fined in the sum of Fifty dollars for failing to appear in said cause in obedience to said Subpoena, 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 can why this judgment should not be made final against him

1682 — State of Texas v Brauner — Continued by the State and attachments awarded for the witnesses Behnke and Keller.

1684 — State of Texas v Dohme & Behnke — Continued by the State and attachments ordered for the witnesses Seddeg, Schultz and John Eitel.

1685 — State of Texas v Jurgenson — On motion of the District atty. it is ordered by the Court that this cause be dismissed for want of the States witnesses.

1685 — State of Texas v Jurgenson — Now comes the District attorney and States to the Court that the evidence of J. H. Keller, a witness in this cause is material, and that he

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has been duly subpoenaed and failed to appear.
It is therefore ordered by the Court that said J. H. Keller be fined in the sum of One hundred dollars for failing to appear as a witness in the above cause in obedience to said subpoena, 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 can why this judgment should not be made final against him.

1685 State of Texas vs Jurgensen } Now comes the District Attorney and states to the Court that the evidence of Schultz, a witness in this cause, is material and that he has been duly subpoenaed and failed to appear.
It is therefore considered by the Court, that said Schultz be fined in the sum of One hundred dollars for failing to appear as a witness in this case in obedience to said subpoena and 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 can why this judgment should not be made final against him.

1690 State of Texas vs Thos. Swisher } Continued and alias capias ordered.

1691 State of Texas vs A. Alexander } Continued for service

1693 State of Texas vs Bellamy et al } On motion of the District attorney It is ordered that this cause be dismissed on account of the death of the State witness.

1699 State of Texas vs Sampson Murray } Alias Capias ordered and cause continued

1700 State of Texas vs Sampson Murray } Alias Capias ordered generally and cause continued.

1702 State of Texas vs Schultz } Continued by the State and attachment awarded for the witnesses Green and Jurgensen.

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1702 State of Texas vs Schultz — Now comes the District Attorney and states to the Court that the evidence of Herman Goeen, a witness in this cause is material and that he has been duly subpoenaed and failed to appear.

It is therefore considered by the Court that the said witness Herman Goeen be fined in the sum of One hundred dollars for failing to appear as a witness in the above cause in obedience to said subpoenaed, and that the 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 can why this judgment should not be made final against him, and attachment awarded for said witness.

1702 State of Texas vs Schultz — Now comes the District Attorney and states that the evidence of H. A. Jorgenson a witness in Cause is material, and that he has been duly subpoenaed and failed to appear

It is therefore considered by the Court that the said witness H. A. Jorgenson be fined in the sum of One Hundred Dollars for failing to appear as a witness in the above cause in obedience to the said subpoena, 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 can, why this judgment should not be made final against him, and attachment awarded for said witness.

1702 State of Texas vs Schultz — Now comes the District Attorney and states to the Court that the evidence of Schilling, a witness in this cause material, and that he has been duly subpoenaed and failed to appear.

It is therefore considered by the Court that the said witness Schilling be fined in the sum of One hundred dollars for failing to appear as a witness in the above cause, in obedience to said subpoena 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 can, why this judgment should not be made final against him, and attachment awarded for said witness.

1703 State of Texas vs Schultz — Cause continued by the State and attachment awarded for the witnesses Jurgenson, Schilling and Siddons.

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1704 — State of Texas v Dohme & Behnke — Cause continued and all attachments ordered for Seddegast, Braumer, O'Gorman and John Eitel, witness in this cause.

1705 — State of Texas v Martin — Continued for service.

1709 — State of Texas v L. Beck — On motion of the District attorney it is ordered that this cause be dismissed.

1711 — State of Texas vs. Frank. (f.m.c) — Continued for service and alias capias ordered generally.

1712 — State of Texas v Frank. (f.m.c) — Cause continued and alias capias ordered generally.

1713 — State of Texas v Crawford Kimbro — Continued to await service in Penitentiary.

1714 — State of Texas v Crawford Kimbro — Continued to await service in Penitentiary

1715 — State of Texas v Bellamy et als — Continued by the State and attachment awarded for the witness Geo. Haynie.

1715 — State of Texas v Bellamy et als — Now comes the District Attorney and states to the Court that the evidence of Geo. Haynie, a witness in this cause is material and that he has heretofore been subpoenaed and failed to appear.

It is therefore considered by the Court that said witness Geo. Haynie be fined in the sum of Fifty dollars for failing to appear as a witness in the above cause in obedience to said subpoena 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 can why this judgment should not be made final against him.

1720 — State of Texas v Fugitt — On motion of the District Attorney it is ordered by the Court that this cause be dismissed.

District Court Minutes, Tuesday Fall Term, Sept. 15th 1868

1721 V

State of Texas } Now comes the District attorney in behalf
vs } of the State and the defendant
Geo Susmann } Susmann in person and by attorney
and announce themselves ready for
trial, and the defendant pleading "not guilty"
come a Jury, to wit. A.M. Major and eleven others
duly empanelled and sworn according to law
who after hearing the evidence addduced, arguments of
Counsel and charge of the Court retired to consider of
their verdict, and brought into Court the following
verdict, to wit. "We the Jury find the Defendant
not guilty, A.M. Major Foreman"

It is therefore considered by the Court that said
Defendant Geo. Susmann go hence fully discharged
from said Indictment.

1710 X

State of Texas } Now comes the District attorney in
vs } behalf of the State and the defendant
Jack Nash et als. } Nash by his attorney and announced
themselves ready for trial, and the de-
fendant by his attorney pleading "guilty" come a jury,
to wit. W. R. M. Farland and eleven others, duly empan-
nelled and sworn according to law, who after hearing
the plea of the defendant & the charge of the Court, retired
to consider of their verdict and returned into Court the
following verdict, to wit: "We the Jury fine the Defen-
dant Nash ten dollars $10.00 he having plead guilty,
W. R. M. Farland, Foreman"

It is therefore ordered adjudged and decreed by the
Court that the State of Texas do have and recover of
the said Jack Nash the sum of Ten and all costs
of this prosecution, and of his sureties on his bail
bond the said sum of Ten dollars and costs in this
behalf expended, and that an Execution and Capias
issue for the collection of said fine and costs.
And further ordered that Capias issue generally
for the other defendants.

V 1848

State of Texas } It is ordered by the Court that a special
vs } Venire for sixty men, issue in this case
Robert Brown } returnable on Monday next 21st instant.

V 1845

State of Texas } It is ordered by the Court that a Special
vs } Venire issue for sixty men returnable
Elijah Oats et als } on Monday next, the 21st instant in this
case

V 1846

State of Texas } It is ordered by the Court that a special
vs } Venire issue for sixty men, returnable on
Elijah Oats et als } Monday next, the 21st instant in this case.

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1931 — State of Texas vs Ora Carpenter & J A Carpenter — It is ordered by the Court that a special Venire issue for sixty men returnable on Wednesday next, the 25rd instant in this case.

1716 — State of Texas vs Jack Nash et als — On motion of the District Attorney it is ordered by the Court that this cause be dismissed as to the defendant Nash and alias capias issue as to the defendant Joseph Lee, and cause continued.

1716 — The State of Texas, Plaintiff, vs Wm Thompson, Defendant — This cause being called for trial, the Defendant Wm Thompson failing to appear and answer to the Indictment in this case he and his securities D. W. Lovell and R. E. Carrington being distinctly called at the door of the Court House of Travis County, and the Defendant after a reasonable length of time still failed to appear, and it appearing to the Court that the Defendant Wm Thompson with the said D. W. Lovell and R. E. Carrington as his securities did execute the Bail Bond on file in this case substantially as follows: Dated 24th day of December 1867, payable unto the State of Texas in the sum of Two hundred dollars conditioned that the said Defendant Wm Thompson make his personal appearance at the District Court of said County of Travis on the first Monday in March 1868, to answer the Indictment preferred against the said Defendant Wm Thompson by the Grand Jurors of Travis County at the Fall Term A.D. 1866, for playing cards in a house for retailing spirituous liquors, and there remain from day to day and from term to term of said Court, and that he do not depart thence without leave of said Court, which said Bond is forfeited. And it is considered by the Court that the State of Texas do have and recover of the said Wm Thompson the said sum of Two Hundred Dollars, and of his said securities the sum of Two hundred dollars, and that this judgment will be made final, ~~at~~ unless good cause be shown at the next term of this Court why the said Defendant Wm Thompson did not appear and further ordered that citations do issue to the said securities.

1717 — State of Texas, Plaintiff, vs Wm Thompson, Defendant — This cause being called for trial, the Defendant Wm Thompson failing to appear and answer to the Indictment in this case, he and his securities D. W. Lovell and R. E. Carrington being distinctly called at the door of the Court House of Travis County, and the Defendant, after a reasonable length of time still failed to appear, and it appearing to the Court that the defendant Wm Thompson with the said D. W. Lovell and R. E. Carrington

as his securities did execute the Bail Bond on file in this case, substantially as follows: Dated 24th day of December 1867, payable unto the State of Texas in the sum of Five Hundred Dollars, conditioned that the said Defendant Wm Thompson make his personal appearance at the District Court of said County of Travis on the first Monday in March 1868, to answer the Indictment preferred against the said Defendant Wm Thompson by the Grand Jurors of Travis County at the Fall Term AD 1866 for exhibiting a gaming bank called "Faro" and there remain from day to day and from Term of said Court, and that he do not depart thence without leave of said Court. Which said Bond is forfeited and it is considered by the Court that the State of Texas do have and recover of the said Wm Thompson the said sum of Five Hundred Dollars and of his said securities the sum of Five Hundred Dollars, and that this judgment will be made unless good cause be shown at the next term of this Court, why the said Defendant Wm Thompson did not appear. And further ordered that citations do issue to the said securities.

Whereupon Court adjourned till tomorrow morning 9 o'clock

Wednesday September 16th 1868

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

And now on this day appeared in open Court, the Grand Jury, and through their foreman A Fred Smith, presented to the Court the following bills of Indictment, to wit:

1924 State of Texas vs Thos Clark } Theft of a mare.

1925 Same vs C. C. Clark et als } Theft of neat cattle.

1926 Same vs C. C. Clark et als } Theft of neat cattle

1927 Same vs C. C. Clark et als } Theft of neat cattle

1928 Same vs C. C. Clark et als } Theft of neat cattle

District Court Minutes, Wednesday Fall Term, Sept. 16th 1868

1929	State of Texas v Isaac, Jas. Gibson, and others	}	Murder.
1930	State v Peyton Hancock	}	Theft of a horse.
1931	State v Ira Carpenter & J. A. Carpenter	}	Murder.

And said Grand Jury through their foreman Alfred Smith, suggested to the Court that there was no further business before them, Whereupon the said Grand Jury was discharged.

1727	State of Texas v Ben Hines et als	}	Alias Capias ordered to Williamson County for Hines and generally for the other defendants and cause continued

X

1727	State of Texas v Ben Hines	}	Plaintiff Defendant	This cause being called for trial, the Defendant Ben Hines failing to appear and answer to the Indictment in this

V

case he and his securities A. N. Cook and R. A. Boyce being distinctly called at the door of the Court House of Travis County, and the Defendant, after a reasonable length of time, still failed to appear, and it appearing to the Court that the Defendant Ben Hines with the said A. N. Cook and R. A. Boyce as his securities did execute the Bail Bond on file in this case substantially as follows. Dated 11th day of March 1867, payable unto the State of Texas in the sum of One Hundred Dollars, conditioned that the said Defendant Ben Hines make his personal appearance at the District Court of said County of Travis ~~on the first Monday~~ now in Session to answer the Indictment preferred against the said Defendant Ben Hines by the Grand Jurors of Travis County at the Spring Term A.D. 1867, for playing Poker in a house attached to a grocery, and there remain from day to day and from term to term of said Court. Which said Bond is forfeited, and it is Considered by the Court that the State of Texas do have and recover of the said Ben Hines the said sum of One Hundred Dollars, and of his said Securities the sum of One Hundred Dollars, and that this judgment will be made final unless good cause be shown at the next Term of this Court, why the said Defendant Ben Hines

District Court Minutes Wednesday Fall Term, Sep. 16th 1868

did not appear, and further ordered that citations do issue to the said securities

1818 State of Texas vs A. F. Boyce } It is ordered by the Court that attachments issue for Elisha Norwood, Lizzie Norwood and John Norwood, witnesses for the State and also attachment for Lizzie Parsons a witness for the Defendant, issue returnable on Tuesday the 22nd instant.

1755 State of Texas vs Dan Morris } Alias Capias ordered and cause continued for service.

1756 State of Texas vs Ben Hines et al } Cause continued for service as to the Defendants Hines, Roberts and Goodrich and alias ordered to Williamson County for Hines

1758 State of Texas vs Tom Ochiltree (2nd) Wheelock } Cause continued and alias capias ordered to Robertson County for the defendant Wheelock, and to Galveston County for the defendant Ochiltree.

1759 State of Texas vs O. N. McFarland } Continued and alias capias ordered.

1763 State of Texas vs Hanke } On motion of the District Attorney it is ordered by the Court that this cause be dismissed.

1766 State of Texas vs Hanke } On motion of the District Attorney it is ordered by the Court that this cause be dismissed.

1782 State of Texas vs Brown Sawyer } Cause continued and alias capias ordered.

1786 State of Texas vs Branch, et als, } Continued and alias capias ordered to Galveston County for Branch, and generally for the other defendants.

1793 State of Texas vs W. P. Ruttledge } Now comes the District Attorney and states to the Court that the evidence of Glenn O. Davis a witness this case is material, and that he has been duly subpoenaed and failed to appear, and asks that he be fined. It is therefore considered by the Court that the said witness Glenn O. Davis be fined in the sum of fifty dollars

for failing to appear as a witness in the above cause in obedience to said subpoena, 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 can, why this judgment should not be made final against him, and attachment ordered and cause continued.

1793 State of Texas vs W. P. Rutledge } Now comes the District Attorney and states to the Court that the evidence of Josiah Woodward, a witness in this cause, is material and that he has been duly subpoenaed and failed to appear, and asks that he be fined.

It is therefore considered by the Court, that the said witness Josiah Woodward, be fined in the sum of Fifty dollars for failing to appear as a witness in this cause in obedience to said subpoena and that Scire facias do issue to him returnable to the next term of this Court commanding him then and there to appear and show cause if any he can why this judgment should not be made final against him. And attachment be awarded and cause Continued.

1794 + State of Texas vs W. P. Rutledge } Now comes the District Attorney and states to the Court that the evidence of Josiah Woodward is material and that he has been duly subpoenaed and failed to appear, and asks that he be fined.

It is therefore considered by the Court that said witness Josiah Woodward be fined in the sum of fifty dollars for failing to appear as a witness in the above cause in obedience to said subpoena 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 can why this judgment should not be made final against him, and attachment awarded and Cause Continued.

1794 State of Texas vs W. P. Rutledge } Now comes the District Attorney and states to the Court that the evidence of Glenn O. Davis, a witness in this cause is material and that he has been duly subpoenaed and failed to appear, and asks that he be fined.

It is therefore Considered by the Court that said witness Glenn O. Davis be fined in the Sum of Fifty Dollars for failing to appear as a witness in the above Cause in Obedience to said subpoena 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 can why this judgment should not be made final against him, and attachment awarded Cause Continued.

District Court Minutes Wednesday Fall Term, Feb 16th 1868

1796 State of Texas vs Schilling — On motion of the District Attorney it is ordered by the Court that this cause be dismissed.

1800 State of Texas vs Catarina Sucilias — Alias Capias ordered and Cause Continued

1801 State of Texas vs Albert (I.N.C.) — Alias Capias ordered and Cause Continued

1802 State of Texas vs Wm Thompson — This cause being called for trial the Defendant Wm Thompson failing to appear and answer to the Indictment in this case, he and his securities D.W. Lovell and R.E. Carrington being distinctly called at the door of the Court House of Travis County, and the Defendant, after a reasonable length of time still failed to appear, and it appearing to the Court that the Defendant Wm Thompson with the said D.W. Lovell and R.E. Carrington as his securities did execute the Bail Bond on file in this case substantially as follows: Dated 24th day of December 1867 payable unto the State of Texas in the sum of Five Hundred Dollars conditioned that the said Defendant Wm Thompson make his personal appearance at the District Court of said County of Travis on the first Monday in March 1868 to answer the Indictment preferred against the said Defendant Wm Thompson by the Grand Jurors of Travis County at the Fall Term AD. 1866 for exhibiting a gaming table 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. Which said Bond is forfeited, and it is considered by the Court that the State of Texas do have and recover of the said Wm Thompson the said Sum of Five Hundred Dollars and of his said securities the sum of Five Hundred Dollars, and that this judgment will be made final unless good cause be shown at the next term of this Court why the said Defendant Wm Thompson did not appear, and further ordered that citations do issue to the said securities. — and alias capias ordered and cause continued.

1803 State of Texas vs Wm Thompson — This cause being called for trial the Defendant Wm Thompson failing to appear and answer to the Indictment in this case, he and his securities D.W. Lovell and R.E. Carrington being distinctly called at the door of the Court House of Travis County, and the Defendant, after a reasonable length of time still failed to appear, and it appearing

to the Court that the Defendant Wm Thompson with the said D. W. Leovell and R. E. Carrington as his securities, did execute the Bail Bond in file in this case substantially as follows: Dated 24th day of December 1867, payable unto the State of Texas in the sum of Five Hundred Dollars conditioned that the said Defendant Wm Thompson make his personal appearance at the District Court of said County of Travis on the first Monday in March 1867, to answer the Indictment preferred against the said Defendant Wm Thompson by the Grand Jurors of Travis County at the Fall Term A.D. 1866, for exhibiting a banking game 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.

Which said Bond is forfeited, and it is considered by the Court that the State of Texas do have and recover of the Wm Thompson the said sum of Five Hundred dollars and of his said securities the sum of Five Hundred dollars and that this judgment will be made final unless good cause be shown at the next term of this Court why the said Defendant Wm Thompson did not appear, and further ordered that citations do issue to the said securities. And cause Continued and alias Capias issue generally.

1805	State of Texas vs George Joel	alias Capias ordered and continued.
1809	State of Texas vs Chester Williams	Continued to await service in Penitentiary
1813	State of Texas vs John Green	Continued for service alias Capias ordered.
1817	State of Texas vs John Jackson	Continued and alias Capias ordered.
1821	State of Texas vs Paul Carter et al	Continued and alias Capias ordered
1825	State of Texas vs Thos Matlock et al	On motion of the District ~~Court~~ Attorney It is ordered that this cause be dismissed.
1831	State of Texas vs John Hasscock et al	Ordered that this cause be set for Monday next.

District Court Minutes, Wednesday Fall Term, Sep 16th 1868

1832 State of Texas } Continued and alias Capias ordered.
v
Alfred Morris }

V 1786 State of Texas } Now comes the District Attorney in be-
v half of the State and the defendant
Tom Bowles } Bowles by his attorney and announce themselves ready for trial, and the defendant
by his attorney pleading "not guilty" come a jury, to wit:
X A.M. Major, and eleven others duly impannelled and
sworn according to law who after hearing the plea
of the defendant the evidence addduced and the
charge of the Court retired to consider of their verdict,
and returned into Court the following verdict, to wit:
"We the Jury find the defendant Bowles "guilty" and
assess his fine at one hundred dollars. A.M. Major,
Foreman."

It is therefore considered by the Court that the State of Texas do have and recover of the said defendant Tom Bowles as principal and Ben Thompson and John T. Miller as his securities on the Bail Bond, the said sum of One hundred dollars and all costs of this prosecution, and that an Execution and Capias issue against said defendant and securities for the collection of said fine and costs.

1756 State of Texas } Plaintiff } This cause being called for
v trial the defendant Ben Hines
Ben Hines } Defendant } failing to appear and answer
V to the Indictment in this case, he and his securities A. H. Cook and R.A. Boyce being distinctly called at the door of the Court House of Travis, and the Defendant, after a reasonable length of time still failed to appear and it appearing to the Court, that the defendant Ben Hines with the said A. H. Cook and R. A. Boyce did execute the Bail Bond on file in this case substantially as follows: Dated 11th day of March 1867, payable unto the State of Texas in the sum of Two Hundred Dollars, Conditioned that the said defendant Ben Hines make his personal appearance at the District Court of said County of Travis now in session, to answer the Indictment preferred against the said defendant Ben Hines by the Grand Jurors of Travis County at the Fall Term A.D. 1866 for betting at "Faro" and there remain from day to day and from Term to Term of said Court, and that he do not depart thence without leave of said Court. Which said Bond is forfeited, and it is considered by the Court that the State of Texas do have and recover of the said Ben Hines the said sum of Two Hundred dollars and of his said securities the sum of Two Hundred dollars

and that this judgment will be made final unless good cause be shown at the next Term of this Court why the said defendant Ben Heines did not appear, and further ordered that citations do issue to the said securities. - and alias copias ordered for Hines.

Whereupon Court adjourned till to morrow morning 9 o'clock.

Thursday Septembes 17th 1868

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

1834 — The State of Texas vs J. H. Davis — Now comes the District attorney in behalf of the State and the defendant in person and by attorney and announced themselves ready for trial and the defendant pleading "not guilty" come a Jury, to wit: Stephen G. Humphill, and eleven others, duly empannelled and sworn according to law, who after hearing the plea of the defendant, the evidence adduced, 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 the defendant not guilty, Stephen G. Humphill, Foreman"

It is therefore considered by the Court that the Defendant J. H. Davis go hence fully discharged from said Indictment.

1838 — State of Texas vs John Lynch — Continued and alias copias ordered to Mc Lennan County.

1834 — State of Texas vs John Lynch — Continued and alias copias ordered to Mc Lennan County.

1842 — State of Texas vs Jim Rector — Dismissed on account of the death of the defendant

1843 — State of Texas vs Jim Rector — Dismissed on account of the death of the defendant.

1869 — State of Texas vs Ed. Smith — On motion of the District Attorney it is ordered by the Court that this case be dismissed

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1890 — State of Texas vs Saml. Johnson — It is ordered by the Court that an attachment issue for Colvin Burnham and Bluford Hammett, witnesses for the defence.

1889 — State of Texas vs Saml. Johnson — It is ordered by the Court that an attachment issue for John Wilson, Colvin Burnham and Bluford Hammett, witnesses for the defence.

1904 — State of Texas vs Wm Davis — Now comes the District attorney in behalf of the State and the defendant in person and by attorney and announce themselves ready for trial, and the defendant pleading "not guilty" come a jury, to wit: Stephen Hemphill and eleven others duly impannelled and sworn according to law who after hearing the evidence and charge of the Court retired to consider of their verdict, and returned into Court the following verdict, to wit: "We the jury find the Defendant not guilty, Stephen Hemphill."

It is therefore considered by the Court that the said defendant Wm Davis go hence fully discharged from said Indictment.

1837 — The State of Texas vs John Lynch — Plaintiff, Defendant — This cause being called for trial the Defendant, John Lynch failing to appear and answer to the Indictment in this case he and his securities J.T. Ake, S.J. Ake and J.B. Perry being distinctly called at the door of the Court House of Travis County, and the Defendant after a reasonable length of time still failed to appear; and it appearing to the Court that the defendant John Lynch, with the said J.T. Ake, S.J. Ake and J.B. Perry as his securities did execute the Bail Bond on file in this case substantially as follows. Dated 20th day of January 1868, payable into the State of Texas in the sum of Five Hundred Dollars, conditioned that the said Defendant John Lynch make his personal appearance at the District Court of said County of Travis on the first Monday in March 1868, to answer the Indictment that may be preferred against the said Defendant John Lynch by the Grand Jurors of Travis County, at the Spring Term A.D. 1868, for an assault with intent to kill and murder John Canfield and thereremain from day to day and from Term to Term of said Court, and that he do not depart thence without leave of said Court. Which said Bond is forfeited, And it is considered by the Court that the State of Texas do have and recover of the said John Lynch, the said sum of Five Hundred Dollars, and of his said securities

District Court Minutes, Thursday 3rd Term, Sept. 17th 1868

the sum of Five Hundred dollars, and that this judgment will be made final, ~~against~~ unless good cause be shown at the next term of this Court why the said defendant John Lynch did not appear. And further ordered that citations do issue to the said securities. And alias capias ordered to McLennan County.

1904 The State of Texas } Plaintiff } Now comes the District
Thomas Freeman } Defendant } Attorney on behalf of the
State and the defendant

Whereupon Court adjourned till tomorrow morning 9 o'clock

Friday September 18th 1868.

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

1904 The State of Texas } Plaintiff
Thomas Freeman } Defendant

Now comes the District Attorney in behalf of the State and the defendant Thos. Freeman in person and by attorneys and announce themselves ready for trial, and the Defendant pleading "not guilty" came a Jury, to wit: W. R. McFarland and eleven others duly impannelled and sworn according to law, who after hearing the plea of the defendant the evidence adduced the argument of Counsel and the Charge of the Court retired to consider of their verdict, and returned into Court the following verdict, to wit: "We the Jury find the defendant guilty as charged in the Indictment and assess his punishment at Confinement in the State Penitentiary for the Term of Two years. W. R. McFarland, Foreman"

It is therefore ordered adjudged and decreed by the Court that said Defendant Thomas Freeman, be confined in the State Penitentiary at hard labor for the period of two years according to the verdict of the Jury trying the case, And that he be remanded to Jail to await his sentence.

1906 State of Texas } It is ordered by the Court that an
vs. } attachment issue to Caldwell County
Charles High } for Gabe Webb, a witness for the defense,
and also to Travis County for Ned
Douglass, Solomon Freeman, Hall Brown, Marsh
Harrington and Lewis Brooks, witnesses for the
defence.

District Court Minutes, Friday Fall Term, Sep. 1st 1868

1925 State of Texas vs C. C. Clark et als
1926 Same vs Same
1927 Same vs Same
1928 Same vs Same

It is ordered by the Court that attachments issue in the above four cases, to Live Oak County for Joshua M. Johnson and A. H. Jones and also to Bell County for J. H. Forbes and J. A. Perkins witnesses for the State.

Whereupon Court adjourned till to morrow morning 9 o'clock.

Saturday September 19th 1868

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

1906 The State of Texas } Now on this day appeared in open
Charles High } Court, J. G. Cain and S. M. Cain, parties
in this cause and acknowledge themselves
to owe and be indebted unto the State
of Texas in the sum of Two hundred dollars each to
be levied upon their respective goods and chattels, lands
and tenements, but to be void nevertheless upon condition
that they appear at the next term of this Court to testify
in behalf of the State in the above entitled cause
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, otherwise this
Recognizance to remain in full force and effect.
And Cause Continued on affidavit of Def't and Attach-
ment ordered to Caldwell County for Stewart
Wesley.

1906 The State of Texas } Now Comes into open Court
Charles High } Solomon Freeman, Ard Douglas,
Hall Brown, Sr. and Marsh Harrington
witness in the above cause and
acknowledge themselves to owe and be indebted unto
the State of Texas in the sum of One hundred dollars
each, to be levied upon their respective goods and
Chattels, Lands and Tenements, but to be void nev-
ertheless upon condition that they appear at the next
term of this Court to testify and the truth to speak in be-
half of the defendant in the above entitled cause
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, otherwise this recognizance
to remain in full force and effect.

District Court Minutes Saturday 5th Term, Sept 19th 1868

1915 State of Texas vs Pet Rochester } On motion of the District Attorney it is ordered by the Court that this cause be dismissed.

Whereupon Court adjourned till ~~Monday~~ morning at 9 o'clock. Monday Sept 21st 1868, Court met adjournment.

1930 The State of Texas vs Peyton Hancock } Now on this day appeared in open Court the defendant Peyton Hancock as principal and John Hancock and Charles Behnke and acknowledge themselves to owe and be indebted unto the State of Texas in the sum of Three hundred dollars each, to be levied upon their respective goods and Chattels, lands and tenements but to be void nevertheless upon condition that the said defendant Peyton Hancock make his personal appearance before the District Court of Travis County now in session to answer the charge of the theft of a horse, preferred against the said defendant Peyton Hancock by the Grand Jurors of Travis County at the Fall Term of said Court A.D. 1868 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, otherwise this Recognizance to remain in full force and effect.

1925 State of Texas vs C.C. Clark et als } It is ordered by the Court that an attachment issue to Bell County for G.M. Marrs, J.W. Forbes J.H. Tonchstone George Kisey W.M. Roberts and George Dougherty witnesses for the Defts

1926 State of Texas vs C.C. Clark et als
1927 Same vs Same
1928 Same vs Same

It is ordered by the Court that attachments issue to Bell County for G.M. Marrs, J.W. Forbes J.H. Tonchstone, George Kisey, W.M. Roberts and George Daugherty witnesses for the defence.

And thereupon It is ordered by the Court that the following named persons who were summoned to serve as Jurors at this term of the Court and failed to appear in obedience to said summons be fined in the sum of Twenty Five Dollars each 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 can why this judgment should not be made final against them, to wit. J.D. McCall, John Daugherty, S.M. Berryman and Louis Blemiller.

District Court Minutes, Monday Fall Term, Sept. 21st 1868

It is ordered by the Court that the fine imposed upon J D McCall John Daugherty, S.R. Berryman and Louis Blalock be remitted and set aside.

1933 — State of Texas vs Philip Lane

Now comes the District Attorney in behalf of the State and the defendant in person and announce themselves ready for trial and the defendant pleading guilty came a jury, to wit: A.G. Buddington and eleven others duly empannelled and sworn according to law, who after hearing the plea of the defendant and the charge of the Court retired to consider of their verdict and returned into Court the following verdict, to wit: "We find the defendant guilty and assess the fine one dollar and costs. A.G. Buddington foreman"

It is therefore ordered adjudged and decreed by the Court that the State of Texas do have and recover of the said Defendant Philip Lane the said sum of one dollar and all costs of this prosecution and that he stand Committed to the County Jail until said fine and costs be paid.

1905 — State of Texas vs John Rogers

Now comes the District ~~Court~~ Attorney in behalf of the State and the defendant in person and by attorney and announce themselves ready for trial, and the defendant pleading "not guilty" came a jury, to wit: A.G. Buddington and eleven others duly empannelled and sworn according to law, who after hearing the plea of the defendant, the evidence adduced, 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 the defendant guilty and assess his punishment at five years in the Penitentiary A.G. Buddington, Foreman"

It is therefore ordered, adjudged and decreed by the Court, that the said defendant be confined in the State Penitentiary at hard labor for the period of Five years according to the verdict of the jury trying the case, and that he be remanded to jail to await his sentence.

1932 — State of Texas vs Wm Rochester

Now comes the District Attorney in behalf of the State, and the defendant in person and by attorney and announce themselves ready for trial, and the defendant pleading "not guilty" came a jury, to wit: Stephen G. Hemphill and eleven others duly empannelled and sworn according to law, who after hearing the plea of the defendant, the evidence adduced, the argument of counsel and Charge of the Court, retired to consider of their verdict

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and returned into Court the following verdict, to wit: "We the Jury find the defendant guilty and assess his punishment to one month in the County Jail, Stephen G. Kempshill Foreman"

It is therefore considered by the Court that the said defendant Wm Rochester be confined in the County Jail of Travis County for the period of one month according to the verdict of the Jury trying the case. and that he pay all costs in this behalf expended

1877 State of Texas vs James Moore — On motion of the District Attorney it is ordered by the Court that this cause be dismissed.

1848 State of Texas vs Robert Brown — It is ordered by the Court that attachment issue for Jack Moore John Meeks Jr. Justus Vandalbro, Green Ferguson, and A. H. Meeks, witness for the defence.

Whereupon Court adjourned till to morrow morning 9 o'clock

Tuesday September 22nd 1868, Court at 9 o'clock A.M. pursuant to adjournment.

And thereupon It is ordered by the Court that Thomas Pitt who was summoned at this term of the Court to serve as a Juror, and failed to appear in obedience to said summons be fined in the sum of 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 can why this judgment should not be made final against him.

The above fine is remitted -

1916 The State of Texas vs James Tiddlers — Now comes the District attorney in behalf of the State and the defendant in person and by attorneys and announce themselves ready for trial, and said defendant pleading "not guilty" come a Jury, to wit: J. H. Walker and eleven others duly empannelled and sworn according to law, who after hearing the plea of the defendant, the evidence adduced, the argument of Counsel and the charge of the Court retired to consider of their verdict, and returned into Court the following verdict, to wit: "We the Jury find the accused guilty of Burglary and assess the punishment at Seven years Confinement in the Penitentiary. J. H. Walker Foreman"

It is therefore ordered adjudged and decreed by the Court that the said defendant James Tiddlers be confined in the State Penitentiary at hard labor for the

District Court Minutes, Tuesday Fall Term, Sept. 22nd 1868

period of seven years according to the verdict of the Jury trying the case, and that he be remanded to Jail to await his sentence

1934

State of Texas vs Reuben Marshall

Now comes the District Attorney in behalf of the State and the defendant in person and announces themselves ready for trial, and the defendant pleading "guilty" Come a Jury, to wit: A.J. Buddington and eleven others duly empannelled and sworn according to law, who after hearing the plea of the defendant, and the Charge of the Court retired to consider of their verdict, and returned into Court the following verdict, to wit. "We the Jury find the defendant Guilty and assess the fine at one dollar, and Costs. A.J. Buddington Foreman"

It is therefore Considered by the Court that the State of Texas do have and recover of the said Defendant Reuben Marshall the said sum of One Dollar and all costs of this prosecution, and that he stand committed to the County Jail until said fine and costs are paid.

James Moore, Ex parte.

Now on this day come on to be heard, under a writ of Habeas Corpus, the application of James Moore to have his bail reduced, heretofore fixed by W.D. Scott, J.P., and the Court after duly considering the matters and things in said application, doth order that his bail be reduced to Five Hundred Dollars.

Whereupon the said James Moore as Principal and John H. Conner, and Nat Moore, as his securities, in Open Court acknowledged themselves to owe and be indebted unto the State of Texas in the sum of Five Hundred Dollars to be levied upon their respective goods and chattels, lands and tenements but to be void nevertheless upon condition that the said James Moore keep the peace for the period of six months as to Benjamin Thompson and Catherine Thompson his wife and all other persons and this recognizance to remain in full force and effect

Whereupon Court adjourned to morrow morning 9 o'clock.

Wednesday September 23rd 1868

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

District Court Minutes, Wednesday Fall Term, Sept 23rd 1868

1920 The State of Texas vs James Tiddlers — Now comes the District Attorney in behalf of the State and the defendant in person and by Attorneys and announce themselves ready for trial, and the defendant pleading "not guilty" come a Jury, to wit: A.G. Buddington and eleven others duly empannelled and sworn according to law, who after hearing the plea of the Defendant, the evidence, the argument of Counsel and charge of the Court retired to Consider of their verdict, and after due deliberation returned into Court the following verdict, to wit: "We the Jury find the Defendant guilty and assess the punishment at Seven years in the Penitentiary - A.G. Budington, Foreman."

It is therefore ordered, adjudged and decreed by the Court that the said defendant, James Tiddlers be confined in the State Pinitentiary at hard labor for the period of Seven years according to the verdict of the Jury trying the case, and that he be remanded to Jail to await his sentence.

1918 State of Texas vs Henry Conner — Now comes the District Attorney in behalf of the State and the defendant Henry Conner in person and by attorney and announce themselves ready for trial, and the defendant pleading "not guilty" come a Jury, to wit: Andie Davidson and eleven others duly empannelled and sworn according to law, who after hearing the plea of the Defendant, the evidence adduced, the argument of Counsel and the Charge of the Court, retired to Consider of their verdict, and after due deliberation returned into Court the following verdict, to wit: "We the Jury find the Deft. guilty and assess his punishment at Confinement in the Penitentiary for two (2) years, Andie Davidson, Foreman."

It is therefore ordered, adjudged and decreed by the Court that the said defendant Henry Conner be confined in the State Penitentiary at hard labor for the period of Two years according to the verdict of the Jury trying the case, and that he be ~~com~~ remanded to Jail to await his sentence.

1930 State of Texas vs Peyton Hancock — It is ordered by the Court that an attachment issue to Williamson County for Jonis Wells.

1845-1846 State of Texas vs Elijah Oats; State of Texas vs Elijah Oats — Order that these two cases be set for Thursday next.

Elijah Oats

Whereupon Court adjourned till to-morrow morning 9 o'clock

District Court Minutes, Thursday Fall Term, Sp. 24th 1868

Thursday September 24th 1868

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

1924 — State of Texas vs Thos. Clark — On motion of the District Attorney it is ordered by the Court that this cause be dismissed, by and the Defendant held under an affidavit of A. N. Cook charging him with having stolen a mare and colt from the possession of said Cook, and Bail fixed at Three hundred dollars.

1851 — State of Texas vs G. W. Morris — Continued for service and alias capias ordered.

1852 — State of Texas vs Julius Seidel — Continued and alias capias ordered.

1853 — State of Texas vs Anderson Hill — Continued

1854 — State of Texas vs Young Houston — Continued as in affidavit of defendant and attachment ordered for Wisley Monroe Henry, Gilbert Houston and Nancy Houston witnesses for the State and returnable at the next term of this Court.

1855 — State of Texas vs John Mussett — Continued and alias capias ordered.

1857 — State of Texas vs Johnson Davis — Continued and alias capias ordered.

1858 — State of Texas vs Johnson Davis — Continued and alias capias ordered

1878 — State of Texas vs Green Smith — Continued for service

1881 — State of Texas vs Julius Seidel — Continued and alias capias ordered.

District Court Minutes, Thursday Fall Term, Sept. 24th 1868.

1882

The State of Texas } Plaintiff } This cause being called for
v } trial the defendant Thomas
Thomas Bowles } Defendant } Bowles failing to appear and
to the Indictment in this case, he and his securities
Joseph Walker and Leigh Chalmers being distinctly
called at the door of the Court House of Travis County, and
the defendant, after a reasonable length of time still failed
to appear: And it appearing to the Court that the defendant
Thomas Bowles with the said Joseph Walker and Leigh
Chalmers as his securities did execute the Bail Bond on file
in this case substantially as follows: Dated 14th day of March
1868, payable unto the State of Texas in the sum of One
Hundred Dollars Conditioned that the said defendant Thom-
as Bowles make his personal appearance at the District
Court of said County of Travis now in Sesion to answer
the Indictment preferred against the said defendant Thomas
Bowles by the Grand Jurors of Travis County at the Spring Term
A.D. 1868, for betting at "Pool", and there remain from day
to day and from Term to term of said Court, and that he
do not depart thence without leave of said Court.
Which said Bond is forfeited, and it is Considered by the
Court that the State of Texas do have and recover of the
said Thomas Bowles the said sum of One hundred dollars,
and of his said securities the sum of One hundred dollars,
and that this judgment will be made final unless good
cause be shown at the next of this Court, why the said defendant
Thomas Bowles did not appear. And further ordered
that Citations do issue to the said securities — and alias
copies ordered returnable instanter.

v
1883

The State of Texas } Plaintiff } This cause being called
v } for trial the defendant ~~Thomas~~
James P. Major } Defendant } ~~Bowles~~ James P Major failing
to appear and answer to the Indictment
in this case, he and his securities Geo. W. Sampson N. P. De-
Normandie and Joseph Walker being distinctly called
at the door of the Court House of Travis County and the
defendant after a reasonable length of time still failed
to appear: and it appearing to the Court that the defendant
James P. Major with the said Geo. W. Sampson N. P. DeNormandie
and Joseph Walker as his securities did execute the Bail
Bond on file in this case substantially as follows: Dated 22nd
day of April 1868, payable unto the State of Texas in the sum
of One hundred dollars, Conditioned that the said defendant
James P. Major make his personal appearance at the District
Court of said County of Travis on the first Monday in September
1868, to answer the Indictment preferred against the said
defendant James P. Major by the Grand Jurors of Travis County
at the Spring Term A.D. 1868, for betting at a gaming
table Kept for the purpose of playing pool, and there
remain from day to day and from term to term of said

District Court Minutes, Thursday 2nd Term, Sept. 24th 1868.

Court, and that he do not depart thence without leave of said Court. Which said Bond is forfeited and it is considered by the Court that the State of Texas do have and recover of the said James P. Major the said sum of One hundred dollars, and of his said securities the sum of One hundred dollars and that this judgment will be made final unless good cause be shown at the next term of this Court why the said defendant James P. Major did not appear. And further ordered that citations do issue to the said securities. — And alias copias ordered 18

1884	State of Texas v Chas. Rutledge	Continued.
1886	State v Gobbart & Speed	Dismissed by District attorney.
1889	State of Texas v Saml. Johnson	Continued.
1890	State of Texas v Saml. Johnson	Continued on affidavit of Deft.
1892	State v Gobe, (Fred)	Continued and alias copias ordered
1893	Same v Same	Continued and alias copias ordered.
1894	Same v Same	Continued and alias copias ordered.
1895	State of Texas v Ben Thompson	Continued and alias copias ordered
1896	State of Texas v A. Puckett	Continued and alias copias ordered, bail fixed at $1000.
1845	State of Texas vs Elijah Oats et al	It is ordered by the Court that attachment issue to Williamson County, J. A. Houghton, J. A. Smith, Elijah Williams, Ezekiel Bay, John Ambrose, Sam Knight, A. V. Chisom

District Court Minutes, Thursday 2d Term, Sept. 24th 1868.

Daniel Barker, and Col Stubblefield as witnesses for the defendence. Also attachment to Bastrop County, for Harrison Thompson, Charley Thompson and Harriet Thompson witnesses for the State; and also attachment to Williamson County for J. J. Dimmett J. J. Stubblefield, Henry Barker, Ben Smith, Mary Barker, Jerry Sweeny, Chas. W. Lewis, and James Smith as witnesses for the State And Continued on application of the State

1845 ✓

State of Texas vs Elijah Oats et al } Now on this day appeared Gus Snider and acknowledges himself to owe and be indebted unto the State of Texas in the sum of One Hundred Dollars to be levied upon his goods and Chattels, lands and tenements, but to void nevertheless upon Condition that he appear at the next regular term of this Court, then and there to testify in behalf of the defendants in the above entitled cause, and there remain from day to day and from term to term of said Court and that he do not depart thence without leave of said, else this recognizance shall remain in full force and effect.

1846 V

State of Texas vs Elijah Oats et al } It is ordered by the Court that attachment issue to Williamson County for J. A. Houghton, J. M. Page, J. A. Smith, Matilda Organ, Orlando Pearce, Creecy Ake, Eliza Williams, Dolley Snider, Ezekiel Jay, John Ambrose, Sam Knight, A. V. Chisim, Daniel Baker, and Col Stubblefield, witnesses for the defence- Also attachment to Bastrop County for Harrison Thompson, Charley Thompson and Harriet Thompson witnesses for the State. and also to Williamson County for J. J. Dimmett, J. J Stubblefield, Henry Barker, Ben Smith, Mary Barker, Jenny Sweny, Chas W. Lewis, and James Smith, witnesses for the State, and Continued by the State

1847 V

State of Texas vs Elijah Oats et al } On this day appeared in open Court Gus Snider, and acknowledged himself to owe and be indebted unto the State of Texas in the sum of One hundred dollars to be levied upon his goods and Chattels, lands and tenements but to be void nevertheless upon condition that the said Gus Snider make his personal appearance at the next term of this Court, then and there to testify and give evidence in behalf of the defendants in the above cause, and there remain from day to day and from term to term of said Court, and that he do not depart thence without leave of said Court, else this recognizance shall remain in full force and effect.

District Court Minutes, Thursday 1st Term, Sept. 2nd 1868

1846 State of Texas vs Elijah Oats et al — Now on this day appeared in open Court, W. K. Makemson, and acknowledged himself to owe and be indebted unto the State of Texas in the sum of One hundred dollars, to be levied upon his goods and Chattels, Lands and tenements, but to be void nevertheless upon condition that the said W. K. Makemson make his personal appearance at the next regular term of this Court then and there to testify and the truth to speak in behalf of the defendants in the above entitled cause, and there remain from day to day and from term to term of said Court, and that he do not depart thence without leave of said Court, else this recognizance shall remain in full force and effect.

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

Friday September 25th 1868. Court met at 9 o'clock a.m. pursuant to adjournment.

1622 State of Texas vs Mitchell — Ordered by the Court that the forfeiture taken against the defendant Mitchell at a former day of this term, be set aside and held for naught.

1257 Amos Morrill vs B. E. Farrer, K. M. Farrer & James F. Johnson — On this day (Sept. 2nd 1868) Comes the Plaintiff by attorney, and the defendants come not, but make default, and it appearing that the defendants have been duly served with process and that the cause of action is liquidated and evidenced by the promissory note described in the petition, which writing is produced and shown to the Court.

It is therefore considered by the Court, that the Plaintiff Amos Morrill do have and recover of the said defendants Two Hundred and Twelve and 8/100 Dollars, and all Costs of suit herein expended. And it further appearing upon the suggestion of the defendant James F. Johnson, that he is surety upon said obligation. It is therefore further ordered that said Johnson have and recover of and from the said defendants B.E. and K.M. Farrer all sums he, the said Johnson may be compelled to pay upon said judgment, for all of which execution may issue.

1882 State of Texas vs Thos. Bowles — It is ordered that the forfeiture entered at a former day of this Court in this case be set aside and held for naught.

District Court Minutes, Friday Fall Term, Sept. 25th. 1868

1901 — State of Texas vs Sam Pipes — Continued on affidavit of Defendant.

1907 — State of Texas vs Geo. Golden et al — Continued for service

1910 — State of Texas vs Richd. Rutherford — Continued for service.

1911 — State of Texas vs August B. Braker — Continued for service

1931 V — State of Texas vs Ira Carpenter & J A. Carpenter — Continued on affidavit of Defendants, and attachments ordered for America J. Tiers, Fannie Greenwood and Margaret Doxey, witnesses for the State and also for the defendants' witnesses according to the list that may be given the Clerk.

V 1931 — State of Texas vs Ira Carpenter & J A. Carpenter — On this day appeared in open Court Chas. W. Deison and acknowledged himself to owe and be indebted unto the State of Texas in the sum of Two Hundred dollars, to be levied upon his goods and chattels, lands and tenements but to be void nevertheless upon condition that the said Chas W. Deison make his personal appearance at the next term of this Court, to testify in behalf of the State in the above entitled cause, and there remain from day to day and from term to term of said Court, and that he not depart thence without leave of said Court, otherwise this Recognizance to remain in full force and effect.

V 1931 — State of Texas vs Ira & J A. Carpenter — On this day appeared in open Court C. W. Deison and acknowledged himself to owe and be indebted unto the State of Texas in the sum of Two Hundred dollars to be levied upon his goods and Chattels, lands and tenements but to be void nevertheless upon condition that Mrs Eliza J. Deison, his wife, make her personal appearance at the next term of this Court to testify in behalf of the State in the above entitled cause, and there remain from day to day and from term to term of said Court, and that she do not depart without leave of said Court, otherwise this recognizance shall remain in full force and effect.

District Court Minutes, Friday 3rd Day Term, Sept. 28th 1868.

1931 — State of Texas vs Ara & J. A. Carpenter — On this day appeared in open Court Chas. W. Deison and acknowledged himself to owe and be indebted unto the State of Texas in the sum of Two Hundred Dollars to be levied upon his goods and Chattels, lands and tenements, but to be void nevertheless upon Condition that he make his personal appearance at the next term of this Court to testify in behalf of the Defendants in the above entitled cause, and there remain from day to day and from term to term of said Court, and that he do not depart thence without leave of said Court, otherwise this Recognizance to remain in full force and effect.

1931 — State of Texas vs Ara & J. A. Carpenter — On this day appeared in open Court C. W. Deison and acknowledged himself to owe and be indebted unto the State of Texas in the sum of Two Hundred Dollars to be levied upon his goods and Chattels, lands and tenements but to be void nevertheless upon Condition that Mrs. Eliza J. Deison, his wife, make her personal appearance at the next term of this Court to testify in behalf of the defendants in the above entitled cause, and there remain from day to day and from term to term of said Court, and that she do not depart thence without leave of said Court, otherwise this recognizance to remain in full force and effect.

1931 — State of Texas vs Ara & J. A. Carpenter — On this day appeared in open Court Charles Harbert and Allen Harbert 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 respective goods and Chattels, lands and tenements but to be void nevertheless upon condition that they appear at the next term of this Court to testify in behalf of the State in the above entitled cause, and there remain from day to day and from term to term of said Court, and they do not depart thence without leave of said Court, otherwise this recognizance to remain in full force and effect.

1640 — State of Texas vs John Conner — Now comes the District Attorney in behalf of the State and the defendant in person and by atty, and announce themselves ready for trial, Whereupon come a jury to wit. R. E. Carrington and eleven others duly empannelled and sworn according to law, who after hearing the evidence and the charge of the Court retired to consider of their verdict and brought into Court the following verdict, to wit. "We the jury find the defendant not guilty, R. E. Carrington

Foreman." It is therefore considered by the Court that said defendant go hence fully discharged from said Indictment.

1642 — State of Texas vs John Conner — On motion of defendant It is ordered by the Court that the Indictment in this case be quashed.

1643 — State vs Jno. Conner — Dismissed by District atty.

1646 — State of Texas vs Will. Walter — It is ordered by the Court that the forfeiture heretofore entered in this case, be set aside and held for naught.

1647 — State of Texas vs Will Walter — It is ordered by the Court that the forfeiture heretofore entered in this case be set aside and held for naught.

1647 — State of Texas vs Will Walter — Now comes the District atty in behalf of the State and the defendant in person and by atty, and announce themselves ready for trial Whereupon come a jury to wit. A. G. Budington and eleven others duly empannelled and sworn according to law, who after hearing the evidence and charge of the Court retired to consider of their verdict and returned into Court the following verdict, to wit. "We the jury find the defendant not guilty A. G. Budington, Foreman"
It is therefore considered that said defendant go hence fully discharged.

1648 — State of Texas vs Dohme & Behnke — Dismissed by Dist. Atty.

1650 — State of Texas vs Dohme & Behnke — Dismissed by Dist. Atty.

1651 — State of Texas vs Chas. Smith — Now comes the District Atty. in behalf of the State and the defendant in person and by atty. and announced themselves ready for trial and the defendant pleading guilty, came a jury, to wit. J. H Walker and eleven others duly empannelled and sworn according to law, who after hearing the plea of said defendant and the charge of the Court retired to consider of their verdict, and returned into Court the following verdict, to wit. "We the jury find the defendant guilty & open the fine at Ten

District Court Minutes, Friday Fall Term, Sept. 25th 1868.

Dollars $10.00 J. H Walker Foreman"

It is therefore considered by the Court, that the State of Texas do have and recover of the said defendant Chas. Smith the said sum of Ten Dollars and all costs of this prosecution, and that he stand committed to the County Jail until said fine and costs are paid. And case continued and alias capias ordered to [illegible] Martin

1652 State of Texas vs H. Green } On motion of the District Attorney it is ordered by the Court, that the forfeiture heretofore entered in this case be set aside and held for naught, and also the fines entered in this case against the witnesses Pressler and Schultz be remitted at their costs. and case dismissed.

1655 State of Texas vs John Eikel } It is ordered by the Court that the Indictment in this case be quashed, and that the forfeiture heretofore entered in this case be set aside and also the fines entered against the witness Behnke, Schultz and Prefler in this cause be remitted at their costs.

1658 State of Texas vs Schultz } Dismissed by Dist. Atty.

1659 State of Texas vs Dohme & Behnke } It is ordered by the Court that the continuance entered in this case be set aside, and cause dismissed, and also that the fines entered against the witnesses Brauner, Sedegast and O'Gorman, be set aside at their.

1665 State of Texas vs Chas. Smith } Dismissed by Dist. Atty.

1667 State of Texas vs Keller } Dismissed by Dist. Atty.

1668 State v Keller } These two cases dismissed by the
1670 State v Keller } District Atty.

1671 State of Texas vs Schultz } Dismissed by Dist. Atty.

1672 State of Texas vs Geo. Suesman } Continuance set aside and cause dismissed and forfeiture heretofore entered against the witness Boyna set aside

District Court Minutes, Friday Fall Term, Sept. 25th 1868

1673	State of Texas vs Schultz	Dismissed by Dist. Atty.
1674	State of Texas vs Preples	Dismissed by Dist. Atty.
1675	State of Texas vs Keller	Dismissed by Dist. Atty.
1676	State of Texas vs Preples	Dismissed by Dist. Atty.
1677	State of Texas vs Sedegast	Dismissed by Dist. Atty.
1678	State of Texas vs Sedegast	Dismissed by Dist. Atty.
1679	State of Texas vs H. Green	Dismissed by Dist. Atty.
1681 V	State of Texas vs Jurgenson	It is ordered that the fines heretofore entered in this case against the witnesses Schultz and Keller be set aside at their costs.
1682	State of Texas vs Brauner	Continuance set aside and cause dismissed
1683	State of Texas vs Schultz	Dismissed by the Dist. Atty.
1684	State of Texas vs Dohme & Behnke	Continuance set aside and cause dismissed by Dist. Atty.
1685 V	State of Texas vs Jurgenson	It is ordered by the Court that the fines heretofore entered in this case against Keller and Schultz be remitted at their costs.
1694	State of Texas vs Chas. Smith	Dismissed by Dist Atty.

District Court Minutes, Friday Fall Term, Sept. 25th 1868

1697 State of Texas vs Robbins & Bybee — Dismissed by Dist. Atty

1698 State of Texas vs Geo. Martin & Chas. Smith — Dismissed by Dist atty as to the dft. Smith, and continued and alias capias ordered as to Martin

1701 State of Texas v Martin & Smith — Dismissed as to the defendant Smith, and continued as to the defendant Martin and alias capias ordered to Bexar county and attachment ordered for Tom. N. Haynie.

1702 State of Texas v Schultz — Continuance set aside and cause dismissed by Dist. Atty. and fines of Green, Jurgensen and Schilling set aside at their costs

1703 State of Texas vs Schultz — Continuance set aside and cause dismissed by the Dist atty.

1704 State of Texas vs Dohme & Behnke — Continuance set aside and cause dismissed by the Dist. atty.

1706 State of Texas vs Chas. Smith — Dismissed by Dist. atty.

X 1724 State of Texas vs Chas. Smith — Dismissed by Dist. atty.
1725 Same v Same

1752 State of Texas vs John Conner — Continued by the Defendant.

1757 State of Texas vs Chas. Smith — Dismissed by Dist. Atty.

1787 State of Texas vs John Conner — This cause being called for trial the witness Geo. E. Haynie failing to appear and testify in said cause, he S.G. Haynie and E.M. Etheridge, his securities, being duly & legally called at the door of the Court House of Travis County, and it appearing to the Court that the said Geo E. Haynie with the S.G. Haynie and E.M. Etheridge did execute the bond on file in this case substantially as follows. Dated 13th day of January 1868, payable unto the State of Texas in the sum of One Hundred Dollars, conditioned that the said Geo E Haynie

make his personal appearance at the District Court of Travis County on the first Monday in March A.D. 1869 then and there to testify and the truth to speak in behalf of the Plaintiff in a certain cause in our said Court pending wherein the State of Texas is Plaintiff and John Conner is defendant, and there remain from day to day and from term to term of said Court, and shall not depart thence without leave of said Court. Which said Bond is forfeited and it is considered by the Court that the State of Texas do have and recover of the said Geo. E. Haynie the said sum of One Hundred Dollars and of his said securities the sum of One Hundred dollars, and that this judgment will be made final unless good cause be shown at the next term of this Court why said witness Haynie did not appear, and that Citations issue to him and his securities and Attachment ordered for said Haynie and cause continued by the State.

1788 State of Texas vs John Conner — It is ordered by the Court that the Indictment in this case be quashed.

Whereupon Court adjourned till tomorrow morning 9 o'clock

Saturday September 26th 1868.

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

1819 State of Texas vs Hane Burditt — Attachment ordered for Denmark Burditt

1874 State of Texas vs H. Clay Eanes — On motion of the Dist. Atty. it is ordered that the Indictment in this case be quashed.

1875 State of Texas vs Clay Eanes — Now comes the District Attorney in behalf of the State and the defendant in person and by attorney and announce themselves ready for trial, and the Defendant pleading "guilty" come a jury, to wit: R.E. Carrington and eleven others duly empannelled and sworn according to law, who after hearing the plea of the defendant and charge of the Court retired to consider of their verdict, and returned into Court the following verdict, to wit: "We the Jury find the Defendant guilty and affix the fine at One hundred dollars $100. R. E. Carrington, Foreman" It is therefore considered by the Court that the State of Texas do have and recover of the said defendant Clay Eanes the said sum of One hundred dollars and all costs of this prosecution, and that he stand committed to the County jail until said fine and Costs are paid.

District Court Minutes, Saturday Fall Term, Sept. 26th 1868

1882 — State of Texas vs Thos. Bowles — It is ordered by the Court that the continuance heretofore entered in this cause be set aside. Whereupon the District in behalf of the State and the Defendant by his attorney announced themselves ready for trial, and the defendant by his attorney pleading "guilty" came a jury, to wit. A.J. Budington and eleven others duly empannelled and sworn according to law who after hearing the plea of the defendant and the charge of the Court, retired to consider of their verdict, and returned into Court the following verdict to wit: "We the jury find the defendant guilty and ask the fine at One hundred dollars, A.J. Budington, Foreman"

It is therefore ordered, adjudged and decreed by the Court that the State of Texas do have and recover of the said defendant Thos. Bowles as principal and Joseph Walker and Leigh Chalmers as his sureties on the Bail Bond the said sum of One hundred dollars and all costs of this prosecution and that an Execution and Copias issue for the collection of said fine and costs

1897 — State of Texas vs Geo. Golden — Alias Capias ordered and case continued.

1898 — State of Texas vs Fanny Johnson — Alias Capias ordered and cause continued.

1899 — State of Texas vs Moses Scott — Alias Capias ordered and cause continued

1900 — State of Texas vs N. Baker & Wm Brown — Alias Capias ordered and cause continued

1903 — State of Texas vs Ned Washington — Special Venire ordered in this case for 36 men returnable this Friday, 20th inst.

1908 — State of Texas vs Jeremiah Ogle — Alias Capias ordered and cause continued

1909 — Same vs Same — Alias Capias ordered and cause continued

1912 — State of Texas vs B.N.C. Barcom — Alias Capias ordered and cause continued

District Court Minutes, Saturday Fall Term, Sept. 26th 1868

1914 State of Texas vs James Gatlin } Alias Capias ordered and cause continued

1919 State of Texas vs Thos Swishes } Alias Capias ordered and cause continued

1922 State of Texas vs A. Musel } Alias Capias ordered and cause continued

1923 State of Texas vs Giles Burleson } It is ordered that attachment issue for J. W. Burleson to Travis County and to Sam Sabal County for Jerry Flemming.

1923 State of Texas vs Giles Burleson } Now comes the District Attorney and asks that J. W. Burleson, a witness in this cause be fined, and states that his evidence is material, and that he has been duly subpoenaed and failed to appear. It is therefore considered that said witness J. W. Burleson be fined in the sum of fifty dollars for failing to appear in obedience to said subpoena and that Scire facias issue to him returnable to the next of this Court commanding him then and there to appear and show cause if he can this judgment should not be made final against him.

1923 State of Texas vs Giles Burleson } On this day appeared in open Court, Giles Burleson as principal and Obediah Smith, Wm Plummer, Pat Moore & Harry Mason and acknowledged themselves to owe and be indebted unto the State of Texas, jointly and severally in the sum of Three hundred dollars, to be levied upon their respective goods and chattels, lands and tenements, but to be void nevertheless upon condition that the said defendant Giles Burleson make his personal appearance before the District Court of Travis County now in session, then and there to answer the Indictment preferred against the said defendant Giles Burleson by the Grand Jurors of Travis County at the Fall Term of said Court A.D. 1868, for the theft of mule, 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, otherwise this recognizance shall remain in full force and effect.

1929 State of Texas vs Geon. W. Kinney et als } Alias Capias ordered and cause continued.

District Court Minutes, Saturday Fall Term, Sept 26th 1868

1902 State of Texas } Now comes the District attorney in
vs } behalf of the State and the defendant
Anderson Scroggins } in person and by attorney and announce
themselves ready for trial and the de-
V fendant pleading "not guilty" came a jury, to wit.
A.J. Budington and eleven others duly empannelled and
sworn according to law, who after hearing the plea of
the defendant the evidence adduced and the charge
of the Court, retired to consider of their verdict, and returned
into Court the following verdict, to wit. "We the jury find
the defendant, not guilty A.J. Budington, Foreman,
It is therefore considered by the Court that said
defendant Anderson Scroggins go hence fully
discharged.

Whereupon Court adjourned till 6-
Morrday morning 9 o'clock

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

V
1698 L.C. Cunningham & Co } On motion of the Plaintiffs, it
vs } is ordered by the Court that this cause
X A.N. Cook, } be dismissed at their costs. It is
therefore considered by the Court that
the defendant A.N. Cook have and recover of the
Plaintiffs L.C. Cunningham and Henry Otheron
all costs in this behalf expended for which executions
may issue

2767 N.G. Shelley } Now comes the Plaintiff N.G. Shelley
vs } and asks for a judgment final by
V X W.H.H. Windham & J.H. Hurst } default and it appearing to the
Court that the defendants have been
duly served with process and failed
to appear and answer within the time prescribed by law
but wholly made default, and the cause of action being
based upon a liquidated demand, ~~and~~ as evidenced by
a note of hand produced and shown to the Court
It is therefore ordered, adjudged and decreed by
the Court that the Plaintiff N.G. Shelley do have and recover
of the said defendants W.H.H. Windham and J.H. Hurst
the sum of Seven hundred and forty four Dollars prin-
cipal debt and interest to date, with interest thereon
at the rate of eight per cent per annum until paid
together with all costs of this suit
for all which execution may issue.

1847 State of Texas } Continued by consent
vs }
Robt. Brown }

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1848 State of Texas vs Robt Brown } Continued by Consent

1849 State of Texas vs Joe Lucksinger } Continued

1849 John Phelps & Wiley Johnston vs J. C. Zuschlag, John Hancock, C. S. Nash & A. J. Hamilton } Plaintiffs Defendants Intervenors

And now at this day come the Plaintiffs and Defendant by their Attorneys and also the Intervenors by their attorneys, except H. W. Sublett, whose death has heretofore been suggested, and as to whom this suit stands abated, and thereupon the parties announced themselves ready for trial, and thereupon come a jury of twelve good and lawful

1819 State of Texas vs Carol Burdett } Continued

1831 State of Texas vs John & Byron Hancock } Of of Indictment suggested by the Dist. Atty. and leave granted to supply, and Attachment ordered Dr. L. B. Hill Thomas Rhodes - Lewis, and Wiley Craft witness for the State, and also attachment for Cyrus Puckett witness for Defendants and cause continued by Defendants.

1831 State of Texas vs John & Byron Hancock } On this day appeared in Open Court John F. Ricks, J. C. Pearce and D. W. Pearce 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 respective goods and Chattels, lands and tenements but to be void nevertheless upon Condition that they make their personal appearance at the next term of this Court to testify in behalf of the Defendants in the above entitled cause, and there remain from day to day and from term to term, of said Court, and that they shall not depart thence without leave of said Court, otherwise this Recognizance to remain in full force and effect.

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1859 / State of Texas vs Oren Baker John Meeks & William Mays } On this day appeared in open Court the defendant Oren Baker as principal and J. K. Moore and F. M. Meeks as his sureties 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 respective goods and chattels, lands and tenements to be void nevertheless upon condition that the said defendant Baker make his personal appearance at the next of this Court, to answer to an Indictment preferred against the said Oren Baker and others by the Grand Jury of Travis County at the Spring Term of said Court A.D. 1868 for disturbing a religious meeting, 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, otherwise this recognizance to remain in full force and effect. And cause continued by the State.

1859 / State of Texas vs Oren Baker John Meeks & Wm Mays } On this day appeared in open Court the defendant John Meeks as principal and J. K. Moore and F. M. Meeks as his securities, 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 respective goods and Chattels, lands and tenements, but to be void nevertheless upon condition that the defendant John Meeks make his personal appearance at the next term of this Court, to answer an Indictment preferred against the said defendant Meeks and others by the Grand Jury of Travis County at the Spring Term of said Court A.D. 1868, for disturbing a religious meeting, and there remain from day to day and from term to term of said Court, and that he shall not depart thence without leave of said Court, otherwise this Recognizance to remain in full force and effect.

1860 / State of Texas vs Oren Baker et als } Continued by by the State and attachment ordered for the witnesses subponaed in this cause.

1872 / State of Texas vs J. A. Scoggins } On Motion of the District Attorney it is ordered that this cause be dismissed, and that the defendant be held on affidavit to answer the Charge of theft of Beef Steers. Whereupon came the defendant Scoggins in open Court as principal and J. C. Pearce and F. M. Meeks as his securities and acknowledged themselves to owe and be indebted unto the State of Texas in the sum of Five

Hundred Dollars each to be levied upon their respective goods and chattels lands and tenements but to be void nevertheless upon condition that the said J. A. Scoggins shall make his personal appearance at the next term of this Court to answer any Indictment that may be preferred against the said Scoggins by the Grand Jurors of Travis County at the Spring Term 1869 of said Court for theft of Beef steers and there remain from day to day and from term to term of said Court, and that he shall not depart thence without leave of said Court, otherwise this Recognizance shall remain in full force and effect

1887 — State of Texas vs Sebron Adkins et als — Dismissed by Dist. Atty.

1903 — State of Texas vs Ned Washington — On motion of the Dist. Atty it is ordered that the Bond of defendant be quashed and the defendant ordered into custody.

1913 — State of Texas vs Joseph Jones — Now comes the district attorney in behalf of the State and the defendant in person and by attorney and announce themselves ready for trial, and the defendant pleading "not guilty" come a jury, to wit. Robt. Barr and eleven others duly empannelled and sworn according to law, who after hearing the plea of the defendant, the evidence and Charge of the Court retired to consider of their verdict and returned into Court the following verdict, to wit. "We the jury find the defendant not guilty Robt Barr, Foreman"

It is therefore considered that said defendant Jos. Jones go hence fully discharged.

1916 — State of Texas vs James Tiddlers — On motion of the District Attorney it is ordered by the Court that verdict and judgment heretofore entered in this cause be set aside and the Indictment be quashed.

1917 — State of Texas vs James Tiddlers and others — On motion of the District Attorney it is ordered by the Court this cause be dismissed as to the defendant Tiddlers.

1921 — State of Texas vs James Tiddlers et als — Continued

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1780 — State of Texas vs Peyton Hancock — On motion of the District Attorney it is ordered by the Court that this cause be dismissed

1653 X — State of Texas vs Jack O'Gorman — It is ordered by the Court that the forfeiture heretofore entered in this cause be set aside upon the payment of costs.

1654 X — State of Texas vs Jack O'Gorman — It is ordered by the Court that the forfeiture of the Court heretofore entered in this cause be set aside upon payment of costs.

1923 — State of Texas vs Giles Burleson — It is ordered by the Court that the fine heretofore entered in this cause against J. W. Burleson be set aside and cause continued.

1923 V — State of Texas vs Giles Burleson — On this day appeared in open Court J. W. Burleson witness in the above cause and acknowledged himself to owe and be indebted unto the State of Texas in the sum of Two hundred dollars to be levied upon his goods and Chattels, lands and tenement, but to be void nevertheless upon condition that the said Burleson make his personal appearance at the next term of this Court to testify as a witness in the above entitled cause in behalf of the State and there remain from day to day and from term to term of said Court and that he shall not depart thence without leave of said Court, otherwise this Recognizance to remain in full force and effect.

1709 C — John Phelps & Wesley Johnston vs John C. Tuschlag, John Hancock, C. S. Hall & A. J. Hamilton — Plaintiffs, Defendant, Intervenors

And now at this day come the Plaintiffs and Defendant by their attorneys and also the Intervenors by their attorneys, except A. W. Sublett, whose death has heretofore been suggested and as to whom this suit stands abated, and thereupon the parties announced themselves ready for trial, whereupon came a jury of twelve good and lawful men, to wit: C. L. Freeman and eleven others, who were duly impannelled and sworn as required by law, and having heard the pleadings, the argument of Counsel and the charge of the Court, and having certain special issues therein set forth, submitted to them under the direction of the Court, returned into Court said special

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answered as follows:

1st Had the Plaintiffs, Phelps and Johnston on the 13th day of November 1858, probable cause to believe that the defendant Zuschlag, had taken goods and money from their store, unlawfully, with intent to steal or embezzle the same?

Yes.

2nd Was the defendant Zuschlag arrested under the charge of having stolen or embezzled the goods or property of the Plaintiffs about the 13th day of Nov. 1858, and if so, at whose instance was such arrest made?

Yes. He was arrested at the instance of Wesley Johnston.

3rd Was the arrest of Zuschlag made for the vindication of public justice?

No, it was not.

4th Was the arrest of Zuschlag procured for the purpose of exacting from him, a general settlement or payment of the private claim of Phelps & Johnston against him?

Yes, it was.

5th Was Zuschlag induced to sign the deed & notes to Phelps & Johnston, believing that if he did not do so, that he was in danger of personal violence from Plaintiffs or other persons, at the time he signed the same?

No, he was not.

6th Was the deed & notes of Zuschlag to Phelps & Johnston signed while under arrest on a charge of stealing or embezzling the goods or money of the Plaintiffs?

They were.

7th Was the written acknowledgment of Zuschlag of the amount due by him to Phelps & Johnston made before, during or after his arrest?

During his arrest.

8th Did Zuschlag sign the deed & notes as a settlement with Plaintiffs for the goods & prosperty received & used by him belonging to them, they mutually agreeing at the time that the amounts therein specified, was the amount then due to the Plaintiffs by Zuschlag?

Defendant signed the deed & notes as a settlement with Plaintiffs. We do not believe there was a mutuality in the agreement as to the indebtedness.

9th Were the notes & deed from Zuschlag to Plaintiffs mentioned in the pleadings executed for a valuable Consideration & if so what was that Consideration?

We have no proof of any valuable Consideration passing from the Plaintiffs to the defendant.

10th Did Zuschlag, the Deft. voluntarily sign & deliver the deed & notes mentioned in the pleadings, or were they obtained through the influence produced in his mind by the threats

of personal violence to him, or by the abuse of him by Plaintiffs
No he did not sign the deed and note voluntarily but through fear of Criminal prosecution.

11th Has the Defendant Zuschlag been injured or damaged by the Plaintiffs by maliciously prosecuting him & procuring his indictment & trial for embezzling the property of Plaintiffs without any probable cause for such charge & if so to what amount has he been damaged?
No. he has not.

12th If you find as an answer to the last ipsue or question that the defendant Zuschlag has been damaged by this malicious prosecution by the Plaintiffs without probable cause on their part then state when that damage occurred?
The answer to the 11th interrogatory answers the above.

13th What is the value of any of the property if any belonging to the deft Zuschlag taken by the Plaintiffs from him & for which they have not accounted to him?
We believe the Plaintiffs have accounted for the value of all Defts property taken by them except the value of the boots, which we estimate as worth 5$ per vol. which would give $88 additional in favor of Deft.

14th What amount if any is now due & owing from the Deft. Zuschlag to the Plaintiffs?
We find by the evidence before us, that the Deft is indebted to the Plaintiffs for the sum of the notes & the credits on o/c stated $42.08. Bal. on Books $88.00 which Notes we believe were obtained through fear of criminal prosecution.

15th What amount if any is now due & owing from the Plaintiffs to the defts. Zuschlag?
Nothing. C. L. Freeman, Foreman"

And thereupon, it is ordered, adjudged & decreed by the Court, that the Notes set forth in the Plaintiffs' petition be cancelled, and that the said Plaintiffs do have and recover of and from the said Defts. J. C. Zuschlag the sum of Two Thousand Four Hundred and Twenty nine and 5/100 Dollars, being the amount of the indebtedness of said defendant to said Plaintiffs. And it is further ordered, that the Plaintiffs do have and recover of and from the said defendant Zuschlag all the costs of the suit.
It is further ordered that the deed of the said defendant Zuschlag, dated November 13th 1858 to the said Plaintiffs to the Northern half of Lot No. 3.

in Block No. 97 in the City of Austin, Travis County, Texas, be cancelled and that the title of the said Intervenors to said Lots be established, and they be quieted in the same and that the said Intervenors do have and recover of and from the said Plaintiffs all their costs in this behalf expended. And thereupon the said Plaintiffs gave notice in open Court of an appeal to the Supreme Court from said judgment both as to the defendant and Intervenors. And Defendant also gave notice in open Court of an appeal from the judgment of Plaintiffs against him.

Whereupon Court adjourned till tomorrow morning 9 o'clock.

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Court met at 9 o'clock A.m. pursuant to adjourned.

1861 — State of Texas vs Geo. W. Malone

Now comes into open Court James H. Walk and Peter Higgins witness in this cause and acknowledge themselves to owe and be indebted unto the State of Texas in the sum of One Hundred dollars each, to be levied upon their respective goods and Chattels, lands and tenements but to be void nevertheless upon condition that they make their personal appearance at the next term of this Court to testify in behalf of the State in the above entitled cause and there remain from day to day and from term to term of said Court and that they shall not depart thence without leave, otherwise this recognizance to remain in full force and effect. And Cause Continued.

1862 — State of Texas vs G. W. Malone — Continued

1863 — State of Texas vs Geo. W. Malone — Continued

1903 — State of Texas vs Ned Washington

Now comes on to be heard in this cause the application for a Continuance by the defendant, which being by the Court duly considered It is ordered that the same be overruled.

1903 — State of Texas vs Ned Washington

Now on this day come on to be heard the motion ~~the motion~~ of defendant to change the venue in this cause, and the same being ~~argued~~ argued by Counsel and duly considered by the Court it is ordered that

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the venue of said cause be change to the County of Williamson the Court House of which being the nearest one in the District to the City of Austin, and that the Clerk of this Court make out a transcript of all the entries in this cause and transmit the same together with the original papers in said cause to the Clerk of the District Court of Williamson County, and an attachment ordered to Fayette County for Lancelot Miner a witness for the defence. and that the Sheriff of Travis County take said defendant forthwith, and deliver him into the hands of the Sheriff of Williamson Co.

1903 — The State of Texas vs Ned Washington — On this day appeared in open Court Alfred Pelham as principal and Wm Pelham as his surety 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 respective goods and chattels, lands and tenements, but to be void nevertheless upon condition that said Alfred Pelham make his personal appearance at the next term of the District Court of Williamson County then and there to testify in behalf of the State in the above entitled cause and there remain from day to day and from term to term of said Court, and that he do not depart thence without leave of said Court, else this recognizance to ~~return~~ remain in full force and effect.

1903 — State of Texas vs Ned Washington — On this day appeared in open Court Alfred Pelham and acknowledged himself to owe and be indebted unto the State of Texas in the sum of Two hundred dollars to be levied upon his goods and chattels lands and tenements but to be void nevertheless upon condition that Martha Pelham, his wife, make her personal appearance at the next term of the District Court of Williamson County to testify in behalf of the State in the above entitled cause, and there remain from day to day and from term to term of said Court, and that she shall not depart thence without leave of said Court, otherwise this recognizance to remain in full force and effect.

1903 — State of Texas vs Ned Washington — On this day appeared in open Court C. P. Farrar and William Pelham 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 respective goods and chattels lands and tenements but to be void nevertheless upon condition that they make their personal appearance at the next term of the District Court of Williamson County to testify in behalf of the State in the above entitled cause

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and there remain from day to day and from term to term of said Court, and that they shall not depart thence without leave of said Court otherwise this recognizance will remain in full force and effect.

1903 — State of Texas vs Ned Washington — On this day appeared in open Court, Austin Fields and James Henry witness for the defence in this cause, 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 respective goods and Chattels, land and tenements, but to be void nevertheless upon condition that they make their personal appearance at the next term of the District Court of Williamson County to testify in the above entitled cause in behalf of the defendant and there remain from day to day and from term to term of said Court, and that they shall not depart thence without leave of said Court, otherwise this recognizance shall remain in full force and effect.

1903 — State of Texas vs Ned Washington — Matilda Allen, a witness for the defence in this cause is discharged without recognizance, by the Counsel for the defendant

1925 — State of Texas v C.C. Clark et als
1926 — Same v Same
1927 — Same v Same
1928 — Same v Same
It is ordered by the Court that these four causes be Continued by the State and Alias attachments ordered for all the witnesses for the State.

1920 — State of Texas vs John Cook et als — Plaintiff vs Defendants — This cause being called for trial, the defendant John Cook failing to appear and answer to the Indictment in this case, he and his securities, William Jackson, Alexander Lewis, Feren Clement and A.N. Cook being distinctly called at the door of the Court House of Travis County and the defendant, after a reasonable length of time, still failed to appear, and it appearing to the Court that the defendant John Cook with the said William Jackson, Alexander Lewis, Feren Clement and A.N. Cook as his securities did execute the Bail Bond on file in this case substantially as follows: Dated 25th day of June 1868, payable unto the State of Texas in the sum of One Hundred dollars conditioned that the defendant John Cook make his personal appearance at the District Court of said County of Travis at its next term (Fall Term A.D. 1868) then and there to answer to and stand trial on any bill of indictment which the Grand Jury of said County of Travis may prefer against him, and there remain from day

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to day and from term to term of said Court, and that he do not depart thence without leave of said Court. Which said Bond is forfeited, and it is considered by the Court that the State of Texas do have and recover of the said John Cook the said sum of One hundred dollars and of his said securities the sum of one hundred dollars, and that this judgment will be made final unless good cause be shown at the next term of this Court why the said defendant John Cook did not appear, further ordered that citations do issue to the said securities, and alias capias ordered and cause continued.

Whereupon Court adjourned till tomorrow morning 9 o'clock

Wednesday September 30th 1868 Court met at 9 o'clock A.M. pursuant to adjournment

1845 — The State of Texas vs Elijah Cato et al, Thomas Otto — It is ordered by the Court that the Sheriff of Travis County remove the defendants in this cause to the County of Williamson and deliver them over to the Sheriff of said County, the Jail of said County being deemed safer than the Jail of Travis County there remain until the next regular term of this Court.

2654 — Sam Houston et al vs S. Crosby et al, Comr. Gen'l. Land Office — And now at this day come the parties to the above entitled cause and having waived a Jury, submitted the matters of law and fact to the Court, and both parties admitting the facts set up in the respective pleadings to be true, and both, Plaintiffs and defendants filing demurrers to the pleadings of each. There being no dispute as to the facts, the Court decides that the law is with the Defendant, and it is therefore ordered, adjudged and decreed by the Court that Plaintiffs' prayer for Mandamus be refused, that their petition be dismissed, and the defendant Joseph Spence go hence without day and have and recover of the Plaintiffs all the costs of this suit, and that the same be certified to the Probate Court of Walker County to be paid in due course of administration, and thereupon the Plaintiffs in open Court give notice of an appeal to the Supreme Court of Texas.

1818 — State of Texas vs A. F. Boyce — On this day appeared in open Court Elisha Atwood, John Atwood and Ed Parsons for himself and wife Lizzie Parsons and acknowledged themselves to owe and be indebted unto the State of Texas in the sum of

One hundred dollars each to be levied upon their respective goods and Chattels, lands and tenements but to be void nevertheless upon Condition that they the said Elisha Nimrod, John Nimrod Ed Parsons and Lizzie Parsons make their personal appearance at the next term of the District Court of Travis County, to testify in behalf of State in the above entitled cause, and there remain from day to day and from term to term of said Court, and that they shall not depart thence without leave otherwise this recognizance will remain in full force and effect. And cause Continued on affidavit of defendant

1818 — The State of Texas vs A. F. Boyce — Now comes into open Court Ed Parsons for himself and security for his wife Lizzie Parsons and acknowledged himself to owe and be indebted unto the State of Texas in the sum of One Hundred dollars to be levied upon his goods and Chattels lands and tenements but to be void nevertheless upon Condition that the said Ed Parsons and ~~Elizabeth~~ Lizzie Parsons make their personal appearance at the next term of this court to testify in behalf of the Defendant in the above entitled cause and there remain from day to day and from term to term thereof and that they do not depart thence without leave of said Court otherwise this recognizance shall remain in full force and effect.

1861 — State of Texas vs Geo. W. Maland — Now Comes into open Court Jesse Robinson and acknowledged himself to owe and be indebted unto the State of Texas in the sum of one hundred dollars to be levied upon his goods and Chattels lands and tenements, but to be void nevertheless upon the Condition that the said Robinson make his personal appearance at the next term of this Court to testify in behalf of the defendant in the above entitled cause and there remain from day to day and from term to term of said Court, and that he shall not depart thence without leave of said Court, otherwise this recognizance shall remain in full force and effect.

1905 — State of Texas vs John Rogers — Now on this day Comes on to be heard the motion for a new trial, on file in this cause, and the same being argued by Counsel, and duly Considered by the Court it is forgiven that said motion be, and the same is hereby granted

2131 — State of Texas vs Ben Hynes, J. A. Smith and W. Clifton — Dismissed by Dist. Atty. on account of the loss of papers.

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2132 — The State of Texas vs Ben Hines, J. A. Smith and W. Clifton — Now comes the District attorney and asks that judgment final by default be entered in this cause, and it appearing to the Court that said defendants have been duly served with proces and failed to appear and answer with the time prescribed by law. It is ordered, adjudged and decreed by the Court that the judgment nisi heretofore entered in this cause be made final, and that the State of Texas do have and recover of said defendants Ben Hines, J. A. Smith and W. Clifton the sum of One hundred dollars and all costs in this behalf expended, and that Execution issue therefor.

2133 — State of Texas vs Ben Hines et als — Now comes the District Attorney and asks that judgment final by default be entered in this cause, and it appearing to the Court that said defendants have been duly served with proces in said cause, and failed to appear and answer. It is considered by the Court that the judgment nisi heretofore entered in this cause be made final and that the State of Texas do have and recover of said defendants Ben Hines, J. A. Smith and W. Clifton the sum of One hundred dollars and all costs in this behalf expended for all which execution may issue.

2143 — State of Texas vs J. H. Anderson — Dismissed by Dist Atty.

2134 — State of Texas vs Ben Hines et als — It is ordered by that the writs in this cause be quashed, and alias writs ordered and cause continued

2135 — State of Texas vs Ben Hines et als — It is ordered by the Court that the writs in this cause be quashed and alias writs ordered and caused continued

2243 — State of Texas vs John M. Swisher et al — It is ordered by the Court the Plaintiff be allowed to let the amended answer and general denial remain on file and stand as pleadings in the case, and Bankruptcy of the defendant Swisher suggested and cause continued.

2293 — State of Texas vs J. Miner — Dismissed by Dist. Atty.

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2295 — State of Texas vs F. P. Sawyer — Dismissed by Dist. Atty.

2560 — State of Texas vs Thomas Moore — It is ordered by the Court that the judgment nisi in this cause be set aside at defendants costs. It is therefore ordered by the Court that the said Thos. Moore pay all costs in this behalf expended for which execution may issue.

2561 — State of Texas vs Duncan — Continued for service

2656 — State of Texas vs A. B. Palm — Dismissed at defendants costs. It is therefore considered by the Court that the defendant Palm pay all costs in this behalf expended for which execution may issue.

1955 — Francis Winans vs Wm. Fowler — Now on this day comes Francis Winans by attorney and suggests the death of A. C. Jones, one of the administrators of the Estate of Wm. Fowler d'c'd, and at the same time came ~~the Plaintiff~~ Avaline Fowler as surviving administratrix of said estate by her Attorney J. B. Costa and submitted the matters in controversy in this cause to the Court, and it appearing to the Court by agreement of parties aforesaid that the estate of said Fowler was indebted to the Plaintiff Francis Winans in the sum of forty dollars with ten per cent interest from the date hereof until paid.

It is therefore ordered, adjudged and decreed by the Court that Francis Winans the Plaintiff do have and recover from the estate of said Fowler the sum of Forty dollars with ten Per Cent interest from this date until paid and all costs this suit, and that this decree be certified to the County Court of Travis County Texas for observance, and that the same be paid in due course of administration.

2364 — State of Texas vs P. Bradley — Dismissed by the District

2567 — State of Texas vs S. G. Baits — Now comes the District and ask for judgment in this case and the defendant being duly served and rendering no legal excuse It is ordered by the Court that the judgment nisi

heretofore entered in said cause be made final and that the State of Texas do have and recover of the said S.T. Banks the sum of Twenty Five dollars and all costs in this behalf expended and that he stand Committed to the County Jail until said fine and costs are paid

2569 State of Texas vs S.T. Smith } Now comes the District atty. and asks that the judgment nisi in this cause be made final, and the answer of the defendant being deemed insufficient by the Court.

It is ordered that said judgment nisi be made final and that the State of Texas do have and recover of the S.T. Smith the sum of Twenty Five dollars and all costs in this behalf expended for and that he stand committed to the County Jail until said fine and costs are paid.

2570 State of Texas vs G.H. Banks } Fine remitted and defendant discharged

2571 State of Texas vs Albert Brown } It is ordered by the Court that the judgment nisi be set aside in this case at the defendants costs And it is further ordered that the State of Texas recover all the costs herein expended from the defendant Albert Brown, for which execution may issue.

2572 State of Texas vs G.H. Burditt } Ordered that the judgment nisi in this case be set aside and fine remitted

2573 State of Texas vs Wm Armstrong } Now comes the District Atty and asks that the judgment nisi in this cause be made final and the answer of the defendant being deemed insufficient by the Court.

It is considered by the Court that said judgment nisi be made final, and that the State of Texas do have and recover of the said Wm Armstrong the sum of Twenty Five Dollars and all costs of this suit and that he stand committed to the County Jail until said fine and costs are paid

2574 State of Texas vs Joseph Barnhart } Ordered that the judgment nisi in this cause be set aside and fine remitted.

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2575 — State of Texas vs S.B. McLain — Ordered that the judgment nisi in this case be set aside and fine remitted.

2576 — State of Texas vs E. Francis — Ordered that the judgment nisi in this case be set aside and fine remitted.

2583 — State of Texas vs Thos. Bowles et als — Continued for service on Steiner.

2584 — State of Texas vs D.C. Shelp et als — Now comes the District Attorney in behalf of the State and claims a final judgment by default, and because it appears to the Court that at the Fall Term 1868 of the Travis County District Court, judgment nisi was rendered against the defendants on a forfeited appearance bond, dated 7th day of March 1866, payable to the State of Texas in the sum of Five hundred dollars in cause No 1596 of the State of Texas vs Joseph Jackson charged with theft, and the said defendant having been duly cited by writs of Scire facias to appear and show cause why the said judgment should not be made final, and the defendants having failed to answer the same, It is therefore considered by the Court that the said judgment nisi be made final, and that the State of Texas do have and recover of and from said defendants Joseph Jackson D.C. Shelp and Clayborn Scroggins the said sum of Five Hundred Dollars, the amount of said Bond, together with all the costs in this proceeding, for all which execution may issue.

2585 — State of Texas vs J.N. Counts et als — Sci. Fa. quashed and Continued for service.

2586 — State of Texas vs Wm. Thompson et als — Now comes the District Attorney in behalf of the State and claims a final judgment by default, and because it appears to the Court that at the Fall Term 1866 of the Travis District Court, judgment nisi was rendered against the defendants on a forfeited appearance bond, dated 4th October 1866, payable to the State of Texas in the sum of One hundred and fifty dollars in cause No. 1624 of the State of Texas vs Wm. Thompson charged with gaming, and the said defendants having been duly cited by writ of Scire facias to appear and show cause why the said judgment should not be made final, and the defendants having failed to answer the same

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It is therefore considered by the Court that the said judgment nisi be made final and that the State of Texas do have and recover of and from the defendants Wm Thompson and Leigh Chalmers, the said sum of One hundred and fifty dollars, the amount of said Bond together with all the costs of this proceedings, for which execution may issue

2615 State of Texas vs J. H. Hutchins } Judgment nisi set aside and fine remitted.

2657 State of Texas vs J. B. Banks } Judgment nisi set aside and fine remitted.

2658 State of Texas vs J. J. McGinnis } Continued for service

2659 State of Texas vs C. J. Glover } Continued for service

2660 State of Texas vs W. R. Baker } Now comes the District attorney in behalf of the State and asks that judgment final by default against the defendant Baker be entered, and it appearing to the Court that said defendant has been duly served with proces and failed to answer.

It is therefore considered by the Court that the judgment nisi in this case be made final and that the State of Texas do have and recover of the said defendant W. R. Baker the sum of Fifty dollars and all costs of this proceeding and that he stand committed to the County Jail until said fine and costs are paid.

2661 State of Texas vs J. S. Bowlsers } Now comes the District attorney in behalf of the State and claims a final judgment by default and because it appears to the Court that at the Spring Term 1867 of the Travis District Court, judgment nisi was rendered against the defendants on a forfeited Recognizance Bond, dated 4th day of May 1866 payable to the State of Texas in the sum of Five Hundred dollars in cause No. 1585 of the State of Texas vs J. S. Bowlsers and others charged with theft, and the said defendants having been duly cited by writs of Scire facias to appear

and show cause why the said judgment should not be made final, and the defendants having failed to answer the same, It is therefore considered by the Court that the said judgment nisi be made final and that the State of Texa do not have and recover of and from the defendants J.S. Bowles Ed. Walker and J. Blum the said sum of Five Hundred Dollars the amount of said Bond, together with the costs of this proceeding, for which execution may issue.

2649 Susan A. Billingsley } Plaintiff
vs
John G. Billingsley } Defendant

Comes now, on this the 30th day of September A.D. 1868, Susan A. Billingsley Plaintiff in this cause by attorneys and announce herself ready for trial, and the defendant John A. Billingsley, come not, but wholly made default. Thereupon come a Jury of good and lawful men, to wit. J.H. Walker and eleven others who being duly elected empannelled and sworn, after hearing the allegations, proof, argument of Counsel and charge of the Court retire to consider of their verdict, and afterwards returned into Court the following verdict, to wit. "We the Jury find the allegations as charged in petition true (signed) J.H. Walker Foreman" And it appearing to the satisfaction of the Court, that Plaintiff and defendant have been legally married and have lived together as husband and wife, that defendant has been guilty of excesses, cruel treatment and outrages towards the Plaintiff, and that such ill treatment is of such a nature as to render said Plaintiff and defendants living together insupportable. It is therefore ordered, adjudged and decreed by the Court, that the marriage heretofore existing between the Plaintiff Susan A. Billingsley and the defendant John G. Billingsley be dissolved. It is further considered and ordered by the Court that the defendant John G. Billingsley pay all costs of this suit for which execution may issue.

2568 State of Texas } It is ordered that the Judgment nisi
vs
L. Pott } in this case be set aside at the defendants costs. and further, that the State of Texas recover of said defendant Pott all the costs of this proceeding and that he stand committed to the County Jail until said costs are paid.

2665 State of Texas } Now comes the District Attorney and
vs
R.H. Peck } asks that a final judgment herein-
dered in this cause, and it appearing to the Court that the answer of said defendant on file in this case is insufficient,

District Court Minutes, Wednesday Fall Term, Sept. 30th 1868

It is therefore considered by the Court that the judgment nisi heretofore entered in this cause be made final and that the State of Texas do have and recover of and from the defendant R. H. Peck the sum of Fifty dollars and all costs of this proceedings and that he stand committed to the County Jail until said fine and costs are paid.

2666 State of Texas vs C. Krohn — It is ordered by the Court that the judgment nisi in this case be set aside, at the defendants costs. It is therefore ordered by the Court that the State of Texas have and recover of the said defendant Krohn all the costs expended in this behalf, and that he stand committed to the County Jail until said costs are paid.

2667 State of Texas vs Chas. Loaman — Dismissed

2668 State of Texas vs J. Phillips — Judgment nisi set aside & fine remitted

2669 State of Texas vs W. M. Gilleland — Judgment nisi set aside & fine remitted

2670 State of Texas vs Wm Gibson — Now comes the District Attorney and asks that the judgment nisi in this cause be made final, and it appearing to the Court that the answer of said defendant is insufficient. It is therefore considered by the Court that the judgment nisi in this cast be made final, and that the State of Texas do have and recover of the said defendant Wm Gibson the sum of Fifty dollars and all costs of this proceeding, and that he stand committed to the County Jail until said fine and costs are paid

2672 State of Texas vs J. H. Darlington — Continued for service.

2673 State of Texas vs Rich King — Judgment nisi set aside and fine remitted.

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Wednesday 5th

2674 State of Texas vs B. C. Brown — Now comes the District Attorney in behalf of the State and asks that judgment final by default be entered in this cause, and it appearing to the Court that the defendant has been duly served with process and failed to answer. It is therefore considered by the Court that the judgment nisi in this cause be made final and that the State of Texas have and recover of said defendant Brown the sum of Fifty dollars and all costs of this proceeding and that he stand committed to the County Jail until said fine and costs are paid

2675 State of Texas vs Brauner — It is ordered by the Court
2676 Same vs Same — that the Judgments nisi
2677 Same vs Same — in these third cause be set aside and fine remitted

2678 State of Texas vs Gov. Haynie — Judgment nisi set aside and fine remitted

2679 State of Texas vs Thos. Eanes — Now comes the District attorney and asks that the judgment nisi in this be made final by default, and it appearing to the Court that the defendant had been duly served and failed to answer, It is ordered by the Court that said judgment nisi be made final for Twenty five dollars, being half the fine imposed thereby, and that the State of Texas, have and recover of said defendant Thos. Eanes the said sum of Twenty Five Dollars and all costs of this proceeding, and that he stand committed to the County Jail until said fine and costs are paid.

2680 State of Texas vs Thos. Eanes — It is ordered by the Court that the judgment nisi in this cause be set aside at the costs of the defendant. It is further that the State of Texas recover from said defendant Eanes all costs in this behalf expended and that he stand committed to the County Jail until said costs are paid.

2681 State of Texas vs Thos. Eanes — It is ordered by the Court that the judgment nisi in this cause be set aside at the defendants costs. It is therefore considered by the Court that the State of Texas have and recover of said defendant Eanes all the costs in this behalf expended, and that he stand committed to the County Jail until said fine costs are paid.

District Court Minutes Thursday 2d Term, Oct 1st 1868

Whereupon Court adjourned until to morrow morning 9 o'clock

Thursday October 1st 1868, Court met at 9 o'clock A.M. Pursuant to adjournment.

2682 State of Texas vs Thos. Eanes — It is ordered by the Court that the judgment nisi in this case be set aside at the defendants costs. It is therefore considered by the Court that the State of Texas have and recover of the said defendant Eanes all the costs in this behalf expended and that he stand committed to the County Jail until said costs are paid.

2683 State of Texas vs Thos. Eanes — Judgment nisi set aside at the costs of the defendant. It is therefore ordered by the Court that the State of Texas habe and recover of the said Thos. Eanes all the costs in this behalf expended and that he stand committed to the County Jail until said costs are paid

2684 State of Texas vs Thos. Eanes — It is ordered by the Court that the judgment nisi in this case be set aside at the costs of the defendant. It is therefore considered by the Court that the State of Texas have and recover of said Eanes all the costs in this behalf expended, and that he stand committed to the County Jail until said costs are paid.

2685 State of Texas vs Thos. Eanes — Judgment nisi set aside at the defendants costs. It is therefore considered by the Court that the State of Texas have and recover of said defendant Eanes all the costs in this behalf expended and that he stand committed to the County Jail until said costs are paid

2686 State of Texas vs Jas. M. Swisher — Now comes the District Attorney and asks that the judgment nisi in this cause be made final for twenty five dollars, on half of the fine imposed thereby, and the answer of said defendant not being deemed sufficient. It is considered by the Court that said judgment nisi be made final for Twenty five dollars, and that the State of Texas have and recover of said defendant Jas. M. Swisher the sum of Twenty five dollars and all costs of this proceedings and that he stand committed to the County Jail until said fine and costs are paid.

District Court Minutes, Thursday Fall Term, Oct 1st 1868

2687 State of Texas } Now comes the District attorney and claims
vs } a judgment finale in this cause against
Jas. M. Swishes } the defendant James M. Swisher, and be-
cause it appears to the Court that at the Spring
Term of this Court 1867, ~~the said defendant was recog-~~
~~nized in the sum of One thousand dollars~~ judgment
nisi was rendered against the defendant Swisher for
One thousand dollars on a forfeited ~~~~ Recognizance,
dated 14th day of March 1867, said recognizance being
for the appearance of said defendant as a witness
in the case of the State of Texas vs John Conner No.
1640. and said defendants answer filed in said
cause being deemed insufficient, It is ordered by
the Court that said judgment nisi be made finale for
the sum of One Hundred dollars (the balance of said
judgment being remitted) and that the State of Texas
have and recover of said defendant Jas. M. Swishes
the sum of One hundred dollars and all costs
of this proceeding, and that execution issue therefor.

2688 State of Texas } Now comes the District attorney and
vs } asks that the judgment nisi in this
Allen Musgrove } cause be made finale for Twenty
Five Dollars, and it appearing to
the Court that the defendants answer filed in
said cause, is insufficient, It is therefore considered
by the Court that said judgment nisi be made final
for the sum of Twenty five dollars (the balance of
the judgment being remitted) and that the State of
Texas have and recover of the said defendant Mus-
grove the sum of Twenty Five Dollars and all costs
of this proceeding and that he stand committed
to the County Jail of said fine and costs are
paid.

2689 State of Texas } Now comes the District attorney and
vs } asks a final judgment by default
J. B. Cassidy } in this cause, and it appearing to the
Court that said defendant has been
duly served with process and failed to answer.
It is therefore considered by the Court that the judgment
nisi in this cause be made final, and that the State
of Texas do have and recover of the said J. B. Cassidy
the sum of Fifty Dollars and all costs of this pro-
ceeding, and that he stand committed to the County
Jail of Travis County until said fine and are
paid.

2690 State of Texas } Now comes the District attorney and
vs } asks a final judgment by default in this
J. B. Cassidy } cause, and it appearing to the Court

that said defendant has been duly served with process and failed to answer -
It is therefore considered by the Court that the judgment nisi in this cause be made final, and that the State of Texas do have and recover of the said defendant J. B. Capidy the sum of Fifty dollars and all costs in this behalf expended and that he stand committed to the County jail until said fine and costs are paid.

2691 State of Texas vs Benjamin Chote — Now comes the District attorney and asks that the judgment nisi in this cause be made final, and it appearing to the Court that said defendant Chote has been duly served with process and failed to appear.
It is therefore considered by the Court that said judgment nisi be made final, and that the State of Texas do have and recover of the said defendant Chote the sum of Fifty Dollars, and all costs of this proceeding, and that he stand committed to the County Jail until said fine and costs are paid.

2692 State of Texas vs Frank Dirks, Sheff of Galveston County — Now comes the Distrct Atty, and asks final that the judgment nisi heretofore entered in this cause be made final, and it appearing to the Court that said defendant has been duly served with proces and failed to answer. It is therefore considered by the Court that said judgment nisi be made final, and that the State of Texas do have and recover of and from the said defendant Frank Dirks, the sum of Fifty dollars, and all costs of this proceeding, and that he stand committed to the County Jail until said fine and costs are paid.

2693 State of Texas vs Rhodes Fishes — Judgment nisi set aside and fine remitted.

2694 State of Texas vs J. J. Manor — Judgment nisi set aside and fine remitted.

2695 State of Texas vs W. B. Bardell — Judgment nisi set aside and fine remitted

District Court Minutes, Thursday Fall Term, Oct. 1st 1868.

2696 State of Texas vs J. B. Benson — Judgment nisi set aside and cause dismissed

2697 State of Texas vs Phil Golden — Judgment nisi set aside and cause dismissed.

2711 State of Texas vs Phil Golden — Continued.

2722 L. Rentfro-dec-d vs B. P. Hollingsworth — Death of Plaintiff suggested and J. H. Baxter as administrator of L. Rentfro made party Plaintiff.

2744 Headly Polk vs C. W. Whitis — Plaintiff has leave to amend petition.

2745 Headly Polk vs Thos. F. McKinney & Co. — Plaintiff has leave to amend petition.

2754 State of Texas vs N. B. Mitchell et als — Plaintiff vs Defendants — Now comes the District Atty. in behalf of the State and claims a judgment final and because it appears to the Court that at the Fall Term 1866, of the Travis District Court, judgment nisi was rendered against the defendants on a forfeited appearance bond, dated 9th day of October 1866, payable to the State of Texas for the sum of One hundred and fifty Dollars in Cause No. 1625 of the State of Texas vs Mitchell Charged with playing at a game with cards at a house commonly used for gaming, and the said defendants having been duly cited by writ of Scire facias to appear and show cause why the said judgment should not be made final, and the defendants' answer in this cause being deemed insufficient. It is therefore considered by the Court, that the said judgment nisi be made final, and that the State of Texas do have and recover of and from the defendants N. B. Mitchell, John Conner and A. B. Burleson the said sum of One hundred and fifty dollars, the amount of said Bond, together with all costs of this proceeding for all which execution may issue.

2796 State of Texas vs C. M. Cotham — Now comes the District Attorney and asks that the judgment nisi in this cause be made final, and it appearing to the

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Court that said defendant has been duly served with proces and failed to answer,
It is therefore considered by the Court that said judgment nisi be made final and that the State of Texas do have and recover of the said defendant C. H. Cotham the sum of Fifty Dollars, and the all costs of this proceeding and that he stand committed to the County Jail until said fine and costs are paid.

1904

The State of Texas vs Thomas Freeman — Plaintiff / Defendant

The Prisoner was again placed at the Bar in the custody of the Sheriff, and being asked if he had anything to say why judgment should not be entered and Sentence pronounced against him according to the verdict of the jury who tried his cause and said prisoner giving no sufficient reason,
It is ordered, adjudged and decreed by the Court, that the said prisoner Thomas Freeman, be, and he is hereby adjudged to be guilty of Felony as in the Indictment against him in this behalf is alleged and it is further considered by the Court, that the said prisoner be punished by Confinement in the State Penitentiary for the period of Two years as found in the Verdict of the jury as aforesaid. And it is ordered that the Sheriff of Travis County, do forthwith take the said prisoner Thomas Freeman and deliver him to the Agent or Superintendent of said Penitentiary to be by him safely confined at hard labor for the space of two years.

1918

The State of Texas vs Henry Conner — Plaintiff / Defendant

The prisoner was again placed at the Bar in the custody of the Sheriff, and being asked if he had anything to say why judgment should not be entered and sentence pronounced against him, according to the verdict of the jury, who tried his cause, and said prisoner giving no sufficient reason, It is ordered, adjudged and decreed by the Court that the said prisoner Henry Conner, be, and he is hereby adjudged to be guilty of Felony as in the Indictment against him in this behalf is alleged. And it is further considered by the Court, that the said prisoner be punished by confinement in the State Penitentiary for the period of two years as found in the verdict of the jury aforesaid. And it is Ordered that the Sheriff of Travis County, do forthwith take the said prisoner and deliver him to the Agent or Superintendent of said Penitentiary, to be by him safely confined

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at hard labor for the space of two years

1921 / The State of Texas vs James Tiddlers } Plaintiff / Defendant } The prisoner was again placed at the Bar in the custody of the Sheriff, and being asked if he had anything to say why judgment should not be entered and sentence pronounced against him, according to the verdict of the Jury who tried his cause and said prisoner giving no sufficient reason, It is ordered, adjudged, and decreed by the Court, that the said prisoner James Tiddlers, be, and he is hereby adjudged guilty of Felony as in the Indictment against him in this behalf is alleged. And it is further considered by the Court, that the said prisoner be punished by Confinement in the State Penitentiary ~~of the State~~ for the period of Seven years as found in the verdict of the Jury as aforesaid. And it is Ordered that the Sheriff of Travis County do forthwith take the said prisoner and deliver him to the Agent or Superintendent of said Penitentiary to be by him safely confined at hard labor for the space of Seven years.

2567 / The State of Texas vs S. J. Banks } Plaintiff / Defendant } Now on this day comes on to be heard the Motion in arrest of judgment filed in this case, and the same being argued by Counsel, and duly considered by the Court, It is ordered, adjudged and decreed by the Court that said motion be, and the same is hereby overruled, Whereupon, the defendant by his attorney excepts to the ruling of the Court and gives notice in open Court of an appeal to the Supreme Court.

1849 / The State of Texas vs Moses Scott } Plaintiff / Defendant

Whereupon Court adjourned till tomorrow morning 9 o'clock

Friday October 2nd 1868 Court met at 9 o'clock A.M. pursuant to adjournment -

1899 / The State of Texas vs Moses Scott } Plaintiff / Defendant } Now comes into open Court the defendant Moses Scott as principal and Joseph Robbins and acknowledged themselves to owe and be indebted unto the State of Texas in the sum of Three hundred dollars, to be

levied upon their respective goods and chattels lands and tenements but to be void nevertheless upon condition that the said defendant Moses Scott make his personal appearance at the next term of this Court to answer to an Indictment preferred against the said defendant Moses Scott at the Fall Term of said Court 1868 by the Grand Jurors of Travis County, for theft from a house, and there remain from day to day and from term to term of said Court and that he shall not depart thence without leave of said Court, otherwise this Recognizance to remain in full force and effect and Cause Continued.

1899 — State of Texas vs Moses Scott — Now comes into Court A. Blomeke and acknowledged himself to owe and be indebted unto the State of Texas in the sum of One hundred dollars to be levied upon his goods and chattels, lands and tenements, but to be void nevertheless upon condition that he make his personal appearance at the next term of this Court and testify in behalf of the State in the above entitled cause, and there remain from day to day and from term to term of said Court, and that he do not depart thence without leave of said Court, otherwise this Recognizance to remain in full force and effect.

1899 — State of Texas vs Moses Scott — Now comes into open Court E. Mopson and H. Samuels and acknowledged themselves to owe and be indebted unto the State of Texas in the sum of One hundred dollars each to be levied upon their respective goods and chattels, lands and tenements, but to be void nevertheless upon condition that they and each of them make their personal appearance at the next term of this Court to testify in behalf of the defendant, in the above entitled cause, 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, otherwise this recognizance to remain in full force and effect.

1888 — State of Texas vs Frank Girard — Now on this day comes on to be heard the motion filed in this cause to quash the Indictment herein, and the same being duly considered by the Court, It is ordered that said motion be granted, and the Indictment quashed and cause dismissed.

District Court Minutes Friday Fall Term, Oct 2nd 1868.

1827

B S Fitzgerald
vs
I M Blackwell
Amos Morrill &
A N Cook

Motion Docket, Oct 1st 1868

And now, on this day, the motion of the Plaintiff filed in this cause coming on to be heard, the Plaintiff by attorney and the defendant Morrill by attorney appeared and announced themselves ready for the trial of said motion. The defendants I M Blackwell and A N Cook having accepted service of notice of said motion failed to appear, plead, answer or demur to Plaintiffs motion. Thereupon the demurrer of the defendant Morrill being argued, submitted and considered by the Court, It is Considered and ordered that the same be overruled.

And thereupon the evidence in support of said motion, and the argument of Counsel being heard and considered by the Court. It is adjudged by the Court that the law and the facts are with the Plaintiff, and that his said motion should be sustained. It is therefore ordered and adjudged by the Court that the return of the Sheriff of Travis County endorsed on the execution issued on the 24th day of April 1867 upon the judgment rendered in said Court in favor of the Plaintiff and against the defendants, which return is dated June 1st 1867, in so far as the said return makes satisfaction of said fieri facias, be and the same is hereby vacated and annulled. And it appearing to the Court that the credit endorsed on said execution as of date the 3rd day of December 1861, of Eighty 100 Dollars, was made because of the payment of that amount in Confederate States Treasury Notes. It is adjudged that said credit was improperly endorsed, and that there is yet due on said judgment the amount of the same, to-wit the Sum of One Hundred and Nineteen and 78/100 Dollars, collected thereon on the first day of June 1867, for which Plaintiff is entitled to have execution, and execution is ordered to issue on said judgment accordingly. It is further ordered that Plaintiff recover of the defendants all the costs of this motion. Whereupon the defendants give notice in open Court of an appeal to the Supreme Court.

2358

P S Williams
vs
Phil Jobe et als

On this day, Oct 2, 1868, Comes on to be heard the motion of Henry Rideout and Wm Lee defendants, filed 11th Sept 1868 to strike this cause from the docket, for the reasons therein set forth and shown on the face thereof. And the Court being of the opinion that the invalidity and nullity of the grant and issuance of Letters of administration de bonis non to the said James A. Chandler cannot be shown on suggestion and motion, but must be taken if at all by plea in abatement. And for the reason that the said suggestion & motion shows no reason for dismissing the case from the docket. It is ordered by the Court that said motion be and the same is hereby overruled, to which the defendants ex cpt.

District Court Minutes, Friday Fall Term, Oct. 2nd. 1868.

2790 Abby Chambers adm. r.c. vs Joseph W. Robertson — Now comes on to be heard the motion to dismiss filed in this cause, and the same being argued by Counsel, and duly considered by the Court, that said motion be and the same is hereby granted, and further ordered that said Cause be dismissed. Whereupon Plaintiff gave notice of appeal to the Supreme Court in open Court.

2711 State of Texas vs Phil Golden et al — It is ordered by the Court that the continuance heretofore entered in this be set aside and that the judgment nisi heretofore entered against the defendants in this case be set aside and cause dismissed.

2781 Geo. Hancock et al vs Enoch Ottley — Comes on to be heard the motion filed in this cause by A.B. Palm, to quash the writ of attachment in this cause, and the same being argued by Counsel and duly considered by the Court that said motion be overruled except so far as to permit said Palm to make himself a party to this suit.

2744 Headly Polk et al vs C.W. White — Comes on to be heard the motion in this cause to dismiss, and the same being argued by Counsel and duly considered by the Court, it is ordered that said motion be overruled.

2745 Headly Polk et al vs Thos. F. McKinney & Co. — Comes on to be heard the motion in this Cause to dismiss the cause the same and the same being argued by Counsel and duly considered by the Court, It is ordered that said motion be overruled.

1728 P.B. Calhoun et al vs Geo. Hancock et al — Comes on to be heard the motion in this Cause for an order for a Survey. It is ordered by the Court that an order of Survey be granted directed to the County Surveyor of Caldwell County or such other Surveyor as the Attorneys of the parties may designate in writing authorizing and requiring of the said premises in manner as follows: viz: 1 To commence at the South East corner on the River San Marcos of the grant of two Leagues of land to Wm. Pettes, situate in the County of Caldwell, and from thence proceed so as to include between the South line of said grant and a parallel line thereto to be established by him, One thousand acres of land. 2. Thence to proceed so as to include between the said parallel line so established by him and another

parallel line thereto to be fixed by him, North of the line first established One hundred, and Seven acres of land. 3. Thence to proceed to make five Surveys of eleven hundred and seven hundred and Seven acres each North of the last parallel line established by him - said five Surveys to be divided by parallel lines - parallel to the lines already herein provided for - and to run from the Eastern boundary line of said grant to the river San Marcos as the Western boundary line thereof -

And it is further asked that said Surveyor be required to bring into this Court by the first day of the next term thereof his field notes of the said several subdivisions of said tract of land, as by this order asked, together with a plat or Map of the whole tract with the subdivisions made by him under the order of the Court, marked thereon, as they relate to the South line of the grant and as they relate to one another. The said Map, or plat to be made on trace cloth. The Plaintiff asks this order believing that the execution thereof is essential for the purpose of arriving at the rights of the parties litigating.

2566 State of Texas vs S. M. Cain — It is ordered by the Court that the judgment nisi heretofore entered in this cause be set aside at the defendants costs. It is therefore further ordered that the State of Texas have and recover of said defendant S. M. Cain all the costs in this behalf expended and that he stand committed to the County Jail until said costs are paid

2661 State of Texas vs J. S. Bowles, et al — It is ordered by the Court that the final judgment entered in this cause at a former day of this Court be set aside at the costs of the defendants. It is therefore further ordered that the State of Texas have and recover of said defendants all the costs in this behalf expended for which execution may issue.

2688 State of Texas vs Allen Musgrove — Now comes on to be heard the motion in arrest of judgment in this cause, and the same being duly considered by the Court. It is ordered that said motion be ~~overruled at the costs and said cause be dismissed, and that execution upon said judgment, gives notice of an appeal to the Supreme~~ granted at the defendants costs.

2523 S. B. Gohon vs B. P. Hollingsworth — Plff has leave to amend.

District Court Minutes, Friday Fall Term, Oct 2d 1868

2340

J. V. Davis
vs
R. A. Smith admr
of J. W. Parks Deft.

And now on this day appeared the parties by their Attorneys, and waiving a Jury, submitted this cause to the Court upon the pleadings and agreement to the facts. And the Court having examined the pleadings and the evidence, is of opinion that the law and the evidence is with the Intervenor James Hisaw. And it further appearing to the Court from the answers of W. L. Robards and C. L. Robards garnishees, that they have in their hands as special deposit the sum of five hundred dollars, placed with them by the defendant J. W. Parks on the sixth day of September 1865 and for which they gave the said Parks a Certificate of deposit, and that the said garnishees have the further sum of One Hundred dollars loaned to them by the said Parks on the said sixth day of September 1865, less the sum of thirty dollars paid to the said Parks on said loan, on the 30th day of October 1865. And it appearing to the Court that the said five Hundred dollars and the said one Hundred dollars, was and is the money of the said Intervenor, James Hisaw, and that he is entitled to have and recover the same from the said garnishees less the sum of thirty dollars paid to the said Parks as aforesaid.

It is therefore ordered and adjudged by the Court that the Intervenor James Hisaw do have and recover of the said W. L. Robards and C. L. Robards the sum of Five hundred dollars deposited with them, and the further sum of Eighty Seven 57/100 dollars, principal and interest remaining due on amount borrowed by them of the said Parks, making the aggregate sum of Five Hundred and Eighty Seven and 57/100 Dollars, to bear interest from this date until paid at the rate of eight per cent per annum for which execution may issue.

It is further ordered that the costs of this suit be paid out of the funds in the hands of the garnishees, and that the Plaintiff Davis take nothing by his said suit.

J

1759

H. M. Figer
vs
Burton & Huling

Now on this day come the defendants in the above entitled cause, and the motion of defendants to retax the judgment heretofore rendered in said cause as to Costs, and the same being regularly called, on the motion Docket, and the defendants having appeared, and argued the same, It is ordered by the Court, that the said motion be granted, and the decree heretofore rendered is altered, and it is hereby ordered that the costs in this suit be taxed equally against all the parties for which execution may issue against

District Court Minutes, Friday Fall Term, Oct 2d 1868.

Plaintiff for his third, and the remainder be certified to the Probate Court of Hays County, as against the estate of ~~Dec'd~~ James Buntin dec'd and to the Probate Court of Limpasas County against the estate of Thos. B. Huling.

2467

John P. White
vs
A. J. Hamilton
Ed. Finnin
Jos. H. Raymond
John M. Swisher

On this day came on to be heard the motion of the defendants Hamilton and Finnin and Pease to dissolve the injunction herein & dismiss the bill, and upon the Bill, answers and exhibits, and for the reasons shewn in the motion, urged to dissolve the Injunction heretofore granted herein restraining the said defendants James H. Raymond and John M. Swishes from paying over any funds which may be in their hands arising from the sale of cotton, or any other funds which ~~parties~~ may be in their hands received for or on account of the defendants, Hamilton and Finnin. After argument of Counsel and the Court being fully advised thereon. It is ordered by the Court that the said Injunction be and the same is hereby in all things dissolved, and the Bill is held over for hearing upon the merits.

Whereupon Court adjourned till tomorrow morning 9 o'clock.

Saturday October 3rd 1868.

Court met at 9 o'clock A.M. Pursuant to adjournment.

2651

Elizabeth Gass & children
vs
C. S. West, Executor of R. J. Townes
et als

District Court Fall Term 1868.

Be it remembered that in the above entitled and numbered case, Charles S. West Esqr., Commissioner, appointed herein, made his report and among other things, suggesting therein the death of Mrs Elizabeth Gass, the Plaintiff hereto and also suing as the next friend of the said minors, Charles E. and John Gass. Whereupon F. W. Chandler Esq. was by the Court appointed in the place and stead of said Elizabeth Gass deceased the next friend for said minors, Charles E. and John Gass, to be a party Plaintiff hereto and to prosecute as said next friend this suit for the use and benefit of said Minors. And because it appears to the Court here, that the said Charles E. Gass and the said John Gass are the only Children and heirs at law of their said deceased Mother, the said Elizabeth who has died since the last term of this Court, intermarried with — Markley. Upon consideration of the said report so made by said C. S. West Esq. Commissioner as aforesaid. It is ordered, adjudged and decreed by the Court, that said report be received and recorded

among the proceedings of this cause and that the sale so made as aforesaid be and the same is hereby ratified and confirmed to the said surviving Plaintiffs, to wit Charles E. Gass and John Gass in equal undivided moieties to each of them and each of their heirs, and all the right and title which the said Robert J. Townes had in and to said tract of land or which by him in his lifetime was conveyed and transferred to Clinton Terry and John A. Wharton, or which at the death of the said Robert J. Townes may have descended to and vested in his Children and heirs, to wit. Maria J. Townes Polly S. Townes Alfred E. Townes, Pattie C. Towns, and Edward T. Townes be and the same is hereby divested out of all and each of them, both of the said Terry and Wharton and them and each their heirs, as well as out of the said Children and heirs of said Robert J. Townes deceased, and vested in the said Charles E. Gass and John Gass and each of their heirs, in equal undivided moieties as aforesaid, said land being described as follows, to wit: Part of William Parker's League; beginning at the lower corner of said League, on the river and running East along the line of said League across Oyster Creek to the corner of the tract conveyed by George M. Bryan to said Townes; Thence North along the line of said tract to the North East corner thereof, thence East along the line of said tract to Oyster Creek to the corner of said Peach Lot Plantation, on the bank of Oyster; and thence West with the line of said Plantation tract - which is also the line of the tract belonging to the estate of Darrington - to said Brazos River; and thence down said river, as it meanders, to the place of beginning.

And it further appearing from said report of said Commissioner that said land sold for the sum of Five Thousand and Ninety two dollars, and that said sale and purchase as aforesaid was made on the first Tuesday in August 1868, being the 4th day of said month. It is ordered, adjudged and decreed by the Court, that said said sum of Five Thousand and Ninety two dollars so bid as aforesaid be considered, entered and allowed as a credit as of that date on said judgment heretofore rendered in this cause.

It is further ordered that the sum of One hundred and forty seven dollars be allowed said Charles S. West, Commissioner as aforesaid for expenses incurred by him in and about making said sale as shown by said report, and said amount to be taxed in the bill of Costs in this case and collected as the other costs in this case may be collected.

District Court Minutes, Saturday Fall Term, Oct 3rd 186 5.

2785

Elizabeth Pace
vs
James R. Pace

And now on this day come on to be heard the motion of the Plaintiff for an allowance for alimony for the support and maintenance of herself and the minor children of the Plaintiff and the defendant, and the same being submitted to the Court, and being considered in connection with the pleadings by the Court. It is ordered and adjudged by the Court that the sum of Thirty dollars per month be and the same is hereby allowed to the Plaintiff out of the separate estate of the defendant, for the support and maintenance of herself and the minor children of the parties during the pendency of this suit; and that the defendant be and he is hereby required to pay over to the Plaintiff Elizabeth Pace, or her Attorney of Record on the first Monday in each month the said Sum of Thirty dollars, and in default of making said payments or any one of them, an execution for the amount unpaid shall issue against the individual property of the said defendant as in other cases.

W.C. Philips admr. &c.
vs
R. Platt Sheriff &c.
M.C. Hamilton A.R. Morris
J.M. Billingsley J.A. Littlepage
J.B. Cassidy J.T. Haynes
W.M. McFarland C.H. Fox.
A.R. Penick, J.C. Collins,
and A.H. Longley — Securities

District Court Fall Term A.D. 1865.

Motion against Sheriff & Securities

And now at this day came the parties above named by their attorneys and announce themselves ready for trial, and thereupon the Court having heard the motion and answer, and the evidence adduced by both parties and the argument thereon, and it appearing to the Court that upon the pleadings and the evidence the Plff. above named is entitled to have the motion granted, and it is therefore ordered by the Court, that the said Plaintiff W.C. Philips, as admr. &c, do have and recover of and from Radcliff Platt, and his securities on his bond as Sheriff to wit. M.C. Hamilton A.R. Morris, J.M. Billingsley, J.A. Littlepage, J.B. Cassidy, J.T. Haynes, W.M. McFarland, C.H. Fox, A.R. Penick, J.C. Collins and A.H. Longley the sum of Three hundred and Ninety five 00/100 dollars, with ten per cent per month thereon from this date until paid, together with all costs of this proceedings for which execution may issue. And thereupon the defendants gave notice in Open Court of an appeal to our Supreme Court

District Court Minutes, Saturday Fall Term, Oct 3d 1868.

Letitia C Illingworth
vs
James O Illingworth

And now on this day this cause coming on to be heard and the plaintiff by attorney and the defendant having been duly cited and C & Frost Esq having been appointed by the Court to appear and represent the defendant, appeared and answered and the parties announced themselves ready for trial. Thereupon came a jury of good and lawful men to wit, J Walker and eleven others who being elected tried and sworn well and truly to try the issues. Thereupon the pleadings being read to the jury, the following facts were proved to wit that in the year 1858 or 1859 the plaintiff and the defendant came to the house of George J Durham in the city, with three children as man and wife - that they occupied one room in the house of the said Durham for several weeks and were received and reputed in the community as man and wife, treated and acted towards each other as husband and wife and acted towards the children as their offspring - that the defendant was then preparing to go to England and to take his family to Virginia & leave them there until he returned - that he did take his family to Virginia & they remained there until defendant returned from England, when they located in Austin, that before coming to Austin to live the parties lived at Waco in Texas and were regarded and received in the community as husband and wife - That sometime in October or November 1862 the defendant voluntarily abandoned the plaintiff as his wife, with the declared purpose of never living with her again as his wife - that he took with him his two sons and that he had never since returned to or lived with the plaintiff - and that he several times since he left the plaintiff declared that he would never live with her again as his wife

Thereupon the jury retired to consider of their verdict and returned into Court the following verdict to wit "We the jury find the allegations set forth by the Plaintiffs petition to be true" And the Court thereupon being of opinion that the bonds of Matrimony heretofore existing between the plaintiff and defendant should be dissolved. It is therefore ordered adjudged and decreed by the Court that the bonds of matrimony heretofore existing between Letitia C Illingworth and James O Illingworth, be and the same are hereby dissolved and annulled and that the said Letitia C Illingworth be forever discharged and released a vinculo Matrimonii with the said James O Illingworth

It is further ordered adjudged and decreed that the said plain

Tff have and recover of the defendant all costs in his behalf expended for which execution may issue &c

2784

Harriet Dignan vs A. O. Horne Sr. } In this case appeared the parties Plaintiff and defendant by their attorneys and a jury, and submitted the matters in controversy to the Court, after hearing the evidence introduced by the parties, It is ordered, adjudged and decreed by the Court, that the Plaintiff Harriet Dignan do have and recover of and from the defendant A. O. Horne Sr. the sum of Thirteen hundred and Ninety two and 33/100 Dollars, principal debt and interest up to this date ~~until~~ with interest thereon at the rate of eleven per Cent from this date until paid, together with all the Costs of this suit for which execution may issue

It is further adjudged and decreed that the Mortgage in favor of the Plaintiff on Lots Nos 5 and 6 in Block No. 42, fronting on Congress Avenue in the City of Austin in the County of Travis and State of Texas, be and the same is hereby foreclosed and said Lots ordered to be sold in satisfaction of said judgment and Costs, and the remainder of any be paid over to the Defendant A. O. Horne, Sr., if the proceeds of the sale of said Lots fail shall be insufficient to pay off said judgment and costs, then the Plaintiff have execution for the balance remaining unpaid on said judgment.

And thereupon It is ordered that all causes on the civil docket not otherwise disposed of stand Continued until the next term of this Court. And it is further ordered that all case on the Criminal docket not otherwise disposed stand Continued till the next regular term of this Court.

And thereupon it is ordered by the Court that the sum of Fifty dollars be allowed Ratcliff Platt, Sheriff of Travis County, for extra services rendered at this term of the Court and that a Copy of this order shall be a sufficient voucher for that amount

Copy of

And thereupon it is ordered by the Court that the sum of Fifty dollars be allowed Radcliff Platt, Sheriff of Travis County, for extra services rendered at this term of the Court and that a Copy of this order shall be a sufficient voucher for that amount

District Court Minutes, Saturday Fall Term, Oct. 3rd 1868.

2632 Caroline Wahrenberger vs J.M. Steines et als — On motion of Plaintiffs attorney, it is ordered that this cause be dismissed at the costs of the defendants. It is therefore considered by the Court, that Pltf C. Wahrenberger have and recover of the Defendants all the costs in this behalf expended for which execution may issue.

2243 State of Texas vs J.M. Swisher et als — On motion of the States Counsel It is ordered that the Continuance heretofore entered in this cause be set aside and cause dismissed at the Costs of the State. It is therefore considered by the Court, that the defendants herein recover their costs from the State of Texas

List of Jury service rendered at the Fall Term A.D. 1868.

No	Names	Days	$	cts.	No	Names	Days	$	cts.	No	Names	Days	$	cts.
						Grand Jury								
1	Alfred Smith	8	16	00	6	I.V. Jones	8	16	00	11	C. Robb	8	16	00
2	D. Eppright	8	16	00	7	Wash Hammett	8	16	00	12	F. Jourdan	8	16	00
3	L.T. Vann	8	16	00	8	W.T. Patterson	8	16	00	13	Thos. Merry	8	16	00
4	Jno. Butler	8	16	00	9	Wm Gibson	8	16	00	14	S.P. Brown	8	16	00
5	Robt Johnson	8	16	00	10	B.F. Stanley	8	16	00	15	N.A.M. Lackey	8	16	00
						Petet Jury								
1	Ja. Baker	6	12	00	28	C. Pflugar	7	14	00	53	A.S. Roberts	9	18	00
2	Eli Green	6	12	00	29	C. Hornberger	7	14	00	56	Ad. Smith	12	24	00
3	C.L. Freeman	6	12	00	30	Th. Sturzing	7	14	00	57	R.E. Carrington	9	18	00
4	L. McKinzie	27	54	00	31	Dick Warren	7	14	00	58	Ed. Zimmerman	9	18	00
5	Fred Pick	6	12	00	32	John McArthur	13	26	00	59	J.M. Sims	9	18	00
6	L.S. Lakin	6	12	00	33	Peter Klein	7	14	00	60	T. Bostick	9	18	00
7	Peter Gregg	6	12	00	34	J.P. McArthur	6	12	00	61	A. Baker	5	10	00
8	B.C. Bennett	6	12	00	35	Allen Musgrove	18	36	00	62	J.W. Burleson	5	10	00
9	J.S. Bowles	23	46	00	36	Julius Nitschke	12	24	00	63	J.J. Miller	5	10	00
10	Clay Eanes	9	18	00	37	Harry Hawkins	5	10	00	64	F. Stanley	5	10	00
11	Robt Barr	32	64	00	38	F. Wilhelm	6	12	00	65	E.V. Holler	6	12	00
12	James Watson	5	10	00	39	Jake Brown	12	24	00	66	N.M. Swigler	5	10	00
13	Jas. Reid	5	10	00	40	G. Crozier	5	10	00	67	Joe. Luckenger	5	10	00
14	W.R. McFarland	24	48	00	41	J.B. Perry	17	34	00	68	Phil Jobe	8	16	00
15	A.J. Parton	10	20	00	42	Jas. Gatlin	6	12	00	69	Abe Tinnin	5	10	00
16	M.V. Parton	5	10	00	43	J.L. Nichols	15	30	00	70	C. Goodloe	5	10	00
17	M.B. Jones	5	10	00	44	P.L.D. France	3	6	00	71	Jno Daugherty	6	12	00
18	J.H. Walker	24	48	00	45	Louis Blumentritt	9	18	00	72	J.M. Thomas	2	4	00
19	A.M. Major	9	18	00	46	Thos Warren	9	18	00	73	Wil. Walter	9	18	00
20	A.R. Renick	6	12	00	47	Wm Stelfox	14	28	00	74	G.L. Robertson	11	22	00
21	John Price	11	22	00	48	A.H. Millican	9	18	00	75	Benson McLoran	3	6	00
22	A.A. Horne	5	10	00	49	A.G. Budington	11	22	00	76	N. Burleson	3	6	00
23	Spence Robinson	2	4	00	50	K.N. Jurgensen	9	18	00	77	J.D.M. Call	9	18	00
24	Alex Thornton	2	4	00	51	J. Sedgewick	12	24	00	78	A.M. Davidson	6	12	00
25	John Reinhard	12	24	00	52	S.M. Berryman	6	12	00	79	Toney Wilkinson	3	6	00
26	S.G. Hemphill	13	26	00	53	A. Tiller	9	18	00	80	S.G. Kingsbury	3	6	00
27	Jamis Hickey	6	12	00	54	Thos. Hill	12	24	00	81	E.S. Berry	6	12	00

District Court Minutes, Saturday Fall Term, Oct 3. 1868

The Minutes of the present term of the District Court of Travis County, State of Texas, having been read in open Court, as the Statute requires, are hereby approved, and it is ordered that Court be now adjourned until the next regular Term

I I Thornton
Judge 2nd Judicial Dist.

Jury Service Continued

Nº	Names	Days	$	cts.
82	Wm. Swant	6	12	00
83	Thos Pitt	1	2	00
84	Don Wilson	2	4	00
85	Georgu Robinson	6	12	00
86	L.B. Collins	3	6	00
87	R.M. Johnson	3	6	00
88	B.F. Oakley	6	12	00
89	Peter Smith	6	12	00
90	Geurge Washington	3	6	00
91	Alfred Lomax	6	12	00
92	T. Butler	6	12	00
93	John Deitrich	6	12	00
94	Ed. Covington	6	12	00

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