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AN INVENTORY OF THE COLONIAL ARCHIVES
OF TEXAS

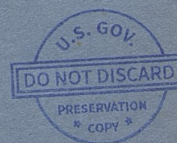
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MUNICIPALITY OF
BRAZORIA

1832 - 1837

HISTORICAL RECORDS SURVEY



INVENTORY OF THE COLONIAL ARCHIVES

OF TEXAS

1821 -- 1837

Prepared by

The Historical Records Survey
Division of Women's and Professional Projects
Works Progress Administration

NO. 3

MUNICIPALITY

of

BRAZORIA

1832 -- 1837

(Brazoria County Courthouse
Angleton, Texas)

* * * * *

San Antonio, Texas

Historical Records Survey

June 1937

Preface

The Historical Records Survey has for its purpose the discovery, preservation, and making accessible of basic materials for research in the history of the United States.

Following the establishment of the Survey in November, 1935, by executive letter of President Roosevelt, Dr. Luther H. Evans as National Supervisor extended it to every state in the Union. The Survey was begun in Texas on March 14, 1936, with J. Frank Davis, State Supervisor of Writers' Projects, as ex-officio State Supervisor and Ike Moore as Assistant State Supervisor. The state office was established and continues to be at the Smith-Young Tower, San Antonio. Under Mr. Moore's direction the Survey was carried to all parts of the State. Area and district offices were established in Abilene, Amarillo, Austin, Beaumont, Big Spring, Brownwood, Dallas, El Paso, Fort Worth, Houston, Laredo, Marshall, Palestine, San Angelo, San Antonio, Tyler, Uvalde, Waco, and Wichita Falls. Field workers on May 15, 1937, had entered 175 counties.

In November, 1936, upon the separation of the Survey from the Writers' Projects, Mr. Moore became State Supervisor and Charles W. Hodges Assistant State Supervisor.

A chief work of the Survey in Texas has been the inventorying of state, county, and municipal archives. Historically, records found in Texas county courthouses may be divided into three parts: Spanish records, covering the period from 1718 to 1821; colonial records, 1821-1836; and county records, 1837 to the present.

Because of their historical importance, detailed attention has been given to the colonial archives. One of the most complete sets of such records now extant is housed in the Brazoria County courthouse at Angleton. Brazoria County is roughly the successor of the Mexican Municipality of Brazoria, the division of government whose records are listed in this book. This Inventory includes all extant records of the municipality from its creation on April 28, 1832, to the beginning of county government under the Republic of Texas on February 20, 1837; and miscellaneous records dating from 1787 to 1837. An inventory of the records of Brazoria County, 1837-- , is now being prepared by the Historical Records Survey.

The Inventory is divided into four groups on the basis of contents: (1) land records, (2) marriage records, (3) estates, and (4) court records. The land records consist of two volumes, Record of Spanish Deeds, which contains copies of the original instruments in Spanish, and Transcribed Spanish Records, which contains English translations of the original instruments. Marriage records comprise bonds, agreements, and contracts, which were accepted until the religious ceremony could be performed by a Catholic priest. Estates include cases probated or containing instruments prior to February 20, 1837. The general probate papers of Brazoria County were examined for these. Court records contain five separate dockets, alcalde court papers, and proceedings of the District Court of Brazoria County in cases begun before February 20, 1837.

With one exception (a file docket and fee book without dates or case numbers), the Historical Records Survey has prepared an index for each of the entries in the Inventory. A general index has been made that includes all proper names appearing in the Inventory, nearly 1,000 in all.

Preface

It was extremely difficult to make an accurate list of proper names since the spelling is often contradictory and the handwriting is not always legible. The effort of the colonists to conform to Mexican customs often made them attempt to modify proper names to fit the Spanish pronunciation. Care has been taken to check the names against each other and against contemporary documents. Louis J. Wilson, of Angleton, an authority on the history of Brazoria County, rendered valuable assistance in checking spelling.

Claud Keltner, of Houston, Area Supervisor of the Survey, made the initial inventory February 2-17, 1937. Mr. Keltner, Mr. Moore, Mr. Hodges, Mrs. Virginia Smith Huff, and Mrs. Mary Fall Clee edited the field notes.

The cooperation of H. R. Stevens, County Clerk, Miss Jimmie Patterson, District Clerk, Bob Monarch, Deputy County Clerk, and Arrington Farer, Deputy District Clerk, all of Brazoria County, was invaluable, and is gratefully acknowledged.

San Antonio, Texas.
May 15, 1937

Ike Moore
State Supervisor

Luther H. Evans
National Supervisor
Historical Records Survey

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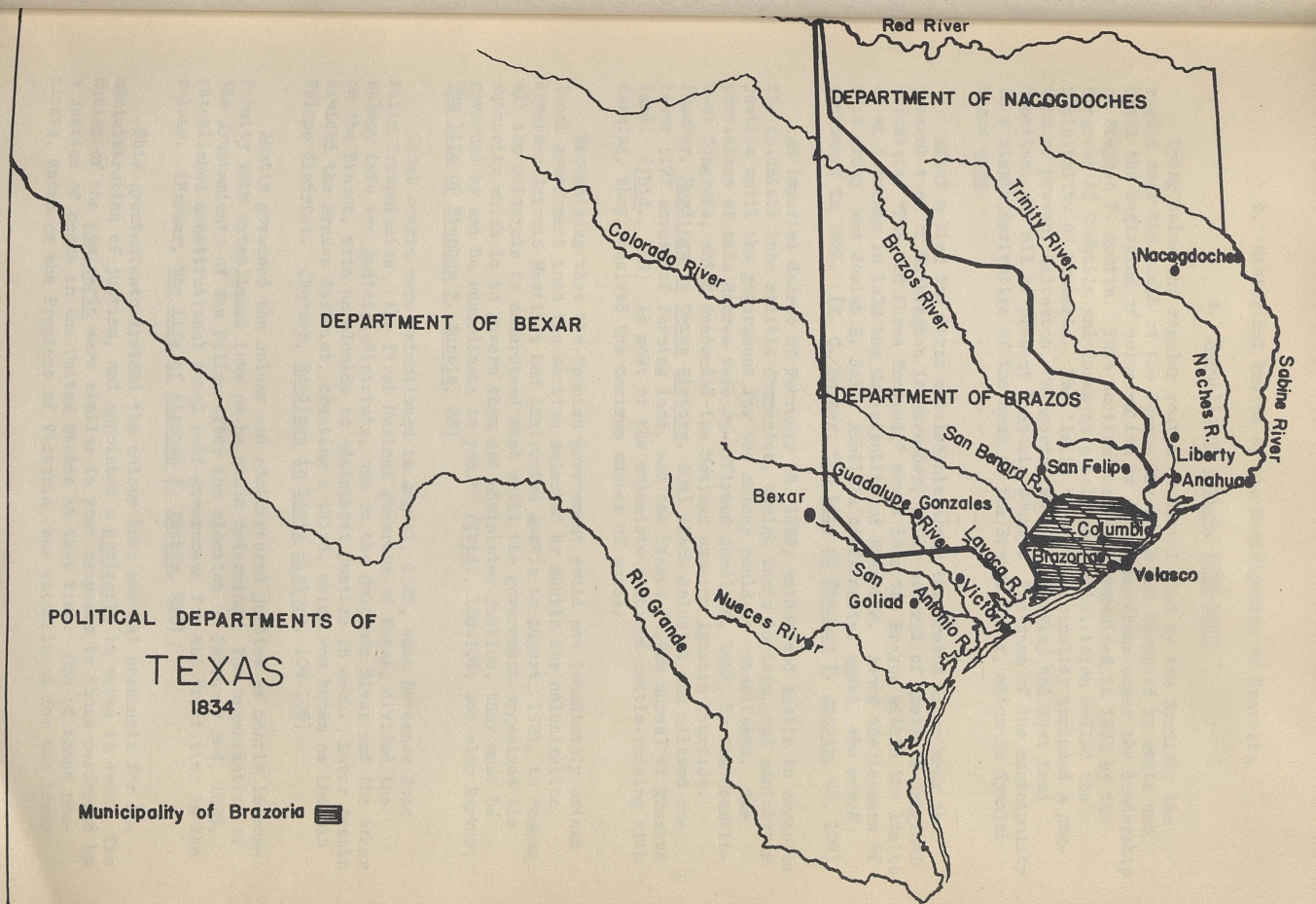
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POLITICAL DEPARTMENTS OF
TEXAS
1834

Municipality of Brazoria 



1. Historical Sketch of the Municipality of Brazoria

A. Republic of Mexico, 1823-1835

Lying below the regular routes of travel used by the Spanish, the region near the mouth of the Brazos River was not occupied by white men until the beginning of colonization by Anglo-Americans under the leadership of Stephen F. Austin. This section was first organized in 1832 by the Congress of Coahuila and Texas as a political subdivision called the Municipality of Brazoria. The limits of the municipality included a portion of present Galveston, Matagorda, Wharton, Harris, and Fort Bend Counties, and all of present Brazoria County. The name of the municipality is a simple derivative of the name of the Brazos River, which in Spanish means arms.

After making the first settlements along the Brazos River near the present town of Washington in November, 1821, several of Austin's original colonists, "The Old Three Hundred," moved down the Brazos within the limits of what became in 1832 the Municipality of Brazoria. Among the leaders of this group was Josiah H. Bell, Austin's confidential agent, who moved southward in 1823. (E. C. Barker, The Life of Stephen F. Austin, 42, 108)

An imperial decree of February 18, 1823, authorized Austin to organize the colonists into militia companies, assign lands to them, and administer justice until the government for the colony could be established. The provisions of this decree were re-affirmed April 14, 1823, by the Constituent Congress, which succeeded the Mexican emperor Agustin Iturbide. (Barker, Readings in Texas History, 104) Each colonist was allowed one labor (177 acres) of farming land, and one league (4,428 acres) of grazing land. (Ibid., 108) As most of the colonists combined cattle-raising with farming, they received the maximum number of acres.

Recognizing that the Spanish government could not immediately extend local government into the section selected by Austin for colonization, Governor Antonio Martinez had instructed Austin in August, 1821, to "cause all the colonists to understand that until the government organizes the authority which is to govern them and administer justice, they must be governed by and be subordinate to you." (Ibid., 103-104; see also Barker, The Life of Stephen F. Austin, 35)

Local courts were established in August, 1823, when Governor Jose Felix Trespalacios, the first Mexican governor of Texas, divided the colony into two judicial districts, one on the Colorado River and the other on the Brazos, with an alcalde to administer justice in each. Later Austin divided the Brazos district, creating a third, which was known as the San Felipe district. (Barker, Readings in Texas History, 104-105)

Austin governed the colony and administered justice as nearly in conformity with established laws as he could determine. The organization of the Ayuntamiento of San Felipe after the election of February 3-4, 1828, established constitutional local self-government for the first time in the colony. (Barker, The Life of Stephen F. Austin, 210)

This ayuntamiento divided the colony into several precincts for the administration of justice, and appointed a comisario to serve in each. The duties of the comisario were similar in some respects to those performed by a justice of peace in the United States at that time. One of these precincts, known as the Precinct of Victoria, was established for the lower

portion of the colony in 1829. (Henry Smith, "Reminiscences of Henry Smith," Southwestern Historical Quarterly, XIV, 30) Alexander Hodge served as comisario for this precinct during 1829. (Marriage Records, Brazoria County Archives, Angleton, Texas) Other comisarios of the precinct were Asa Brigham and Henry Smith. (Docket for the Precinct of Victoria, Brazoria County Archives. Henry Smith, "Reminiscences of Henry Smith," Southwestern Historical Quarterly, IX, 30) This court continued to administer justice until an alcalde court was established in 1832.

Unstable political conditions in Mexico soon disturbed the even flow of life in the colony. Anastacio Bustamante, a "bigoted, unprincipled, military chieftain," and vice president of Mexico, supplanted the more liberal Vicente Guerrero in 1830. Once in power, Bustamante inaugurated sweeping changes, which were generally performed under the authority of the Law of April 6, 1830. (John Henry Brown, History of Texas, I, 248-249) This law restricted further colonization from the United States except in two colonies, provided for the establishment of customhouses at several Texas towns to collect duties imposed on foreign imports, authorized the establishment of convict colonies in Texas, and forbade American colonists to settle within twenty leagues of the boundary of the United States or ten leagues of the coast. (Barker, The Life of Stephen F. Austin, 296-326. Full text in John and Henry Sayles, Early Laws of Texas, I, 55-56) In the fall of 1830 Bustamante dispatched military units to Texas to enforce the Law, establishing garrisons at Anahuac, Teran, Nacogdoches, Velasco, and other towns. Two of these garrisons were commanded by former Americans, Colonel Peter Ellis Bean at Teran and Colonel John Davis Bradburn at Anahuac. (Barker, The Life of Stephen F. Austin, 327)

Serious trouble arose at Anahuac during the early part of June, 1832, between settlers from the vicinity of Liberty and Colonel Bradburn. J. Francisco Madero had previously been sent to Liberty by the government to issue titles for lands. Soon after Bradburn's arrival at Anahuac, he determined to collect duties imposed under the Law of April 6, 1830, and arbitrarily canceled the titles issued by Madero. Bradburn arrested and imprisoned two popular leaders of the settlers, William Barrett Travis and Patrick G. Jack. This aroused the colonists to action, and they laid siege to Anahuac. As soon as the news spread through Texas, the more impetuous men of several communities rallied to the support of the colonists at Anahuac, but before these units arrived, Colonel Jose de las Piedras, military commandant, came from Nacogdoches to deal with the colonists. Piedras agreed to turn the prisoners over to civil authorities for trial, to pay for the property seized by Bradburn, and to endeavor to obtain Bradburn's removal. (Barker, The Life of Stephen F. Austin, 386-387)

This agreement was not made known in time to prevent trouble, and an armed clash between the Texans and the Mexican authorities occurred at Velasco, a few miles below Brazoria, on June 26-27, 1832, when the colonists attempted to move two cannon by way of the Brazos River to the aid of their countrymen besieging Anahuac. (G. P. Garrison, Texas, 177) Colonel Domingo de Ugartechea, commandant at Velasco, prevented the colonists from moving the cannon, and the aroused Texans attacked the Mexican garrison at Velasco, and captured the fort. During this encounter, known as the Battle of Velasco, seven Texans and thirty-two Mexicans were killed. Three other Texans died from wounds. (Henry Smith, "Reminiscences of Henry Smith," Southwestern Historical Quarterly, XIV, 43)

During this unsettled period the Congress of Coahuila and Texas attempted to maintain local government for the lower portion of Austin's Colony by creating the Municipality of Brazoria. (H. P. N. Gammel, Laws of Texas, I, 307) The town of Brazoria, which had been designated as the capital of the municipality, was an important commercial center about fifteen miles above the mouth of the Brazos. Mrs. Mary Austin Holley, writing from Bolivar, Texas, during December, 1831, thus described the town:

Too much must not be expected of Brazoria. It is not located in a prairie, where nothing was to be done to prepare the foundation of the rising city, but to mark off its lines with compass and chain; but upon a wooded elevation of peachland, as it is called. This spot was chosen as the most commanding and healthful, besides combining other advantages.... One street stretches along the bank of the Brazos, and one parallel with it farther back, while other streets, with trees still standing, are laid out to intersect these at right angles, to be cleared at some future day, as the wants of the citizens may require.... A speedy settlement and a rapid growth in population and importance, are calculated upon with certainty. Nor will these calculations appear unreasonable, when we consider that it is but three years since the first tree was cut, and it now contains fifty families, many of which are of the first respectability. (Mary Austin Holley, Letters of an Early American Traveller, edited by Mattie Austin Hatcher, 117)

Under provisions of the decree of April 28, 1832, the Congress of Coahuila and Texas defined the boundaries of the municipality and designated the capital:

The Congress of the State of Coahuila and Texas, has thought proper to decree as follows:

Art. 1. In the Southern portion of the municipality of Austin a new municipality shall be formed, of which the town of Brazoria shall be the capital.

Art. 2. The limits of the said municipality shall be as follows: Commencing at the mouth of Clear Creek on Galveston Bay, following the principal branch of said creek to its source; thence southwesterly in a straight line to the confluence of Guajolote Creek and the river San Bernard; thence due southwest to the distance of five leagues west of the Colorado; thence to the source of Trespacios Creek, descending said creek to its entrance into Matagorda Bay; thence following the beach upon the coast northward and eastward to the place of beginning.

Art. 3. The Executive shall accord the proper measures in order that the inhabitants of Brazoria at the approaching elections for new Ayuntamientos, may proceed to elect the Ayuntamiento established by law. (Gammel, Laws of Texas, I, 308)

Uncertain political conditions in Texas during the summer and fall of 1832 prevented the immediate execution of this decree. The Ayuntamiento of San Felipe de Austin was instructed to supervise an election of officers for the Municipality of Brazoria. Evidently the election was held sometime during the early part of 1833, at which the following officers were elected: Henry Smith, alcalde, R. R. Royall and William H. Wharton, regidores, and William Eckel, sindico procurador, or marshal. (Ayuntamiento of Brazoria to (place not given), May 13, 1833. Bexar Archives, University of Texas Library) Captain John Austin was selected to supervise the election and make the proper reports. Captain Austin died during the severe cholera epidemic which followed the flood on the Brazos River in June, 1833, failing to make the reports before his death. (Henry Smith, Brazoria, to Ayuntamiento of Brazoria, first Monday of October, 1833. Bexar Archives)

Miguel Arciniega, Political Chief of the Department of Bexar, questioned the legal status of the Ayuntamiento of Brazoria and asked for instructions when it became apparent that Captain Austin's reports were not among his private or public papers. (M. Arciniega, Bexar, to Srto. Del Despo. del S. G. de Estado, Monclova, August 26, 1833. Bexar Archives)

The difficulties which the municipality experienced during its first year were summarized by Henry Smith in a letter to the ayuntamiento:

At a regular meeting of the Ayuntamiento for the District of Brazoria here at the Alcalde office on the first monday of October 1833. Present Henry Smith Prest. R. R. Royall 1st Regidor William H. Wharton 2nd Regidor William Eckel Syndico Procurador absent from indisposition-- The following official communication from the President was read--

To the illustrious Ayuntamiento for the Jurisdiction of Brazoria.

Gentlemen.

It is with feelings of the deepest regret I have to inform you that every effort on the part of Your Illustrious body to be put in Correspondence with the Political Chiefs of this Department has proved abortive.--The year is now growing to a close and the time for holding the Election near at hand. It therefore becomes our duty as the representative of the people to prepare the way for our successors, in order that the inconveniences and disadvantages under which WE have had to labor during the present year be removed. I have recently learned the reasons why we have not been put in official correspondence with the Political Chief of this Department. A letter under date of the 22nd Sepr. for the Alcalde of Austin called on the Ayuntamiento of that Municipality to have the returns of Election from this district sent up for recognition, that the secretary

of that body Mr. Samuel M. Williams called on Capt. John Austin who was appointed by the Ayuntamiento of Austin to hold the Election in this Jurisdiction and make the returns to the proper Authorities, that Capt. Austin informed him he could not that no regular list had been kept, or if it had it was lost or mislaid, since which time, Capt. Austin has unfortunately died (who was the only person authorised) and an examination of his Archives proves the fact that no list of the Election had been kept, which renders it entirely out of our power at this late period, under all the circumstances to prevent similar evils and inconveniences the next year without adopting some efficient means to procure from the proper authorities an appointment of some proper and suitable person to preside at the ensuing election who will be authorised to make the proper returns.-- The resolution adopted and forwarded to the Chief of Department some time during the past Spring, praying to be either recognised or dissolved as an unconstituted body, have been received from that quarter-- I would therefore recommend to your consideration the propriety of calling on the Ayuntamiento of Austin who are officially known as a body corporate to and as in this procurement in order that the disadvantages and inconveniences encountered, and suffered by us this Year be not entailed on our successors-- And in as much as the time will be too short, probably, to effect this object in time to hold the election at the Constitutional time, I suggest the propriety of requesting the Alcalde of Austin who is officially known and recognised, to authorise and make such appointment of a proper and suitable person here as he with the consent of the Ayuntamiento may think proper to recommend to the proper authorities, to be appointed to preside and make the corresponding return, and thereby render the returns official--

With sentiments of the highest regard and consideration
I remain Gentlemen

Yr obst
Henry Smith
President
[rubric]

(Henry Smith to Ayuntamiento of Brazoria, Brazoria, the first Monday of October, 1833. Bexar Archives)

An editorial by John Wharton, published in The Advocate of the People's Rights, Brazoria, February 22, 1834, summarized the achievements of Henry Smith as alcalde of the Municipality of Brazoria:

I call attention to the subjoined extract from the valedictory address of Henry Smith, Ex Alcalde. Are we so illiberal, so devoid of principal, and justice as to permit one man to bear the whole of the public burden. We ought to recollect that Henry Smith was brought out for office of Alcalde without his approbation or knowledge, that the office was not a lucrative one, that he discharged the duties with ability and fidelity.... Who is to pay the expense that will attend the prosecution and trial of Stone.... I trust if no other cause will have

effect, that shame alone will impell the good people to pay their portions of the public expense....

It is a fact well known to all [said Smith], that this district has been recently organized, without revenue, or the means to raise it, other than taxation, and that some revenue must be required to defray the public expenses, all will admit. This ayuntamiento has, from time to time, made such levies as seem to them equitable...., these levies all remain uncollected - the first dollar has not yet been received....

Officers elected for the Ayuntamiento of Brazoria on January 1, 1834, were Edwin Waller, alcalde; William H. Wharton and Captain Henry S. Brown, regidores; and Peyton R. Splane, sindico procurador. (John Henry Brown, Life of Henry Smith, 23) These officers dispatched a communication to the Ayuntamiento of Goliad on January 2, 1834, urging that municipality to delay action intended to secure separate statehood for Texas, hoping that the provisions of the Law of April 6, 1830, would be repealed and no further oppression attempted. (Edwin Waller, William H. Wharton, Henry S. Brown, Peyton R. Splane, and Henry Smith, Brazoria, to Ayuntamiento of Goliad, Goliad, January 2, 1834. Bexar Archives) The Ayuntamiento of Goliad received this communication and their actions on it were reported to the political chief at Bexar. (Jose Miguel Aldrete, Juan Jose Hernandez, and others of Ayuntamiento of Goliad, April 12, 1834. Bexar Archives)

Events were transpiring which prevented officers of the Ayuntamiento of Brazoria from diligently performing their civic duties. Stephen F. Austin was arrested and imprisoned at Saltillo, Coahuila, on January 3, 1834, by Mexican authorities. (Barker, The Life of Stephen F. Austin, 436) When word of his arrest reached Texas, a wave of indignation swept the country, arousing the citizens to vigorous protest. The Brazoria protest was forwarded July 31, 1834, to the Mexican authorities at Saltillo. (Ibid., 447. See also Barker, Austin Papers, II, 1069-1070)

The officers of the Ayuntamiento of Brazoria were so lax in the performance of official duties that Henry Smith, Political Chief of the Department of Brazos, published the following notice: "Finding the ayuntamiento of this jurisdiction disorganized and feeling unwilling that it should lose its political existence ... The citizens are hereby notified that an election will be held on the 8th day of November [1834] ..." (The Texas Republican, Brazoria, November 1, 1834)

On April 25, 1834, the Congress of Coahuila and Texas decreed that the name of the municipality be changed and the capital be moved:

Sec. 7. THE CAPITAL OF THE MUNICIPALITY OF BRAZORIA SHALL BE REMOVED from the town of the same name to that of Columbia, situated three or four leagues above more or less.

Sec. 8. BRAZORIA CHANGED TO COLUMBIA. - Hereafter said municipality shall be denominated Municipality of Columbia. (Sayles, Early Laws of Texas, I, 105; see also Gammel, Laws of Texas, I, 385)

This change was not entirely satisfactory to all citizens of the municipality, as evidenced by a petition to the ayuntamiento: "Praying the removal of the seat of justice from Columbia to Brazoria was presented on Monday the 2nd inst.... [The citizens were requested] to meet at the various polling places on Sunday the 22nd, for deciding the matter." (The Texas Republican [date uncertain] Notice dated February 7, 1835) No further reference is made to this election, but the result must have favored Columbia because the primary court continued to meet there. (Docket of the Primary Court of the Jurisdiction of Columbia, Brazoria County Archives)

In June, 1835, trouble again arose at Anahuac, this time between Captain Antonio Tenorio and the colonists over the collection of tariff duties. Travis was placed in command of the colonists, who quickly overpowered the Mexican garrison and sent Tenorio with his men to Mexico. (Barker, The Life of Stephen F. Austin, 474-475)

The colonists were reluctant to commit an act which might be construed by the Mexican authorities as treason or the flouting of established government. A meeting held on June 28, 1835, at Columbia, over which Warren D. C. Hall presided and Byrd B. Waller served as secretary, affirmed the established authority of the political chief of the department and urged the citizens to support the constitution of their adopted country. At this meeting a permanent committee of safety was appointed, consisting of Warren D. C. Hall, John A. Wharton, William H. Jack, John G. McNeel, and George B. McKinstry. (Brown, History of Texas, I, 293-294)

Local leaders, realizing that whatever grievances the colonists might have against the Mexican government concerned all of Texas, at a meeting in Columbia on August 15, 1835, declared themselves in favor of a consultation of all Texas to consider plans of action to bring relief. (Ibid., I, 305)

Considering the gravity of the crisis facing Texas, the citizens of Columbia addressed the following communication to the Ayuntamiento of San Felipe:

TO THE CHAIRMAN OF THE MEETING IN SAN FELIPE ON THE
14th OF JULY, 1835.

The Ayuntamiento of Columbia [Brazoria] have thought proper to address you the communication, and to send you five confidential citizens (viz. John A. Wharton, Sterling McNeel, James F. Perry, Josiah H. Bell and James Night) to represent this jurisdiction, and to confer with you touching the matters of public concern, which now agitate the country....

Asa Brigham, P. of A.
W. H. Sledge Sec'y.

(The Texas Republican, July 18, 1835)

Out of this conference developed the movement for a consultation for all Texas to be held at San Felipe.

Before the consultation met, Stephen F. Austin returned to Texas. He delivered the "keynote" address at a meeting in Brazoria on September 8, 1835, urging that a convention of all Texas was necessary. After the arrival of the Mexican army under General Martin Perfecto de Cos on September 21, 1835, the Texans began to prepare openly for revolution. (Barker, The Life of Stephen F. Austin, 479-481)

Committees of public safety were formed throughout Texas, and the colonists organized their military forces for the impending clash with the Mexican dictator Santa Anna. Two skirmishes occurred before the consultation assembled, one at Gonzales on October 2, 1835, and the other at Goliad on October 8, (Ibid., 484-485)

The fever for revolution, always strong in Brazoria, reached a new high level as actual hostilities took place. Prompted by their hatred for General Cos, the "Volunteers" of Brazoria published the following notice in The Texas Republican, October 10, 1835:

\$5,000 will be paid to the individual who kills or takes prisoner General Martin Perfecto de Cos, and \$500 will be paid for the arrest and detention in close custody of John A. Williams who by the most infamous lying and by the production of forged letters from Santa Anna and Cos prevented 66 volunteers from joining their countrymen at Gonzales.

Brazoria, October 5th, 1835

V O L U N T E E R S

Twenty-one candidates presented themselves for election as delegates from the municipality to the proposed consultation at San Felipe. Returns were received from Velasco, Brazoria, Columbia, and Chocolate; Williams did not report. The election was held October 10, 1835, and the following were selected: William H. Wharton, 152 votes; Henry Smith, 181; Branch T. Archer, 199; Warren D. C. Hall, 192; John A. Wharton, 179; John S. D. Byrom, 238; Edwin Waller, 170. (The Texas Republican, October 10, 1835)

B. Provisional Government of Texas, 1835-1836

The Consultation outlined and approved a provisional government on November 13, 1835, and elected Henry Smith of Brazoria Provisional Governor. A General Council was formed from the delegates to conduct the affairs of government. (Barker, Readings in Texas History, 160-161)

The General Council changed the name of the municipality of Columbia back to Brazoria on November 12, 1835:

On motion of Mr. Waller; WHEREAS: the late Jurisdiction of Brazoria was changed in name to that of Columbia and the seat of Justice removed to the town of Columbia, by the congress of Coahuila and Texas. Contrary to the wishes, inclinations and interests of a large majority of the citizens of that jurisdiction; therefore,

BE IT RESOLVED that the name of said Jurisdiction be changed and hereafter called and known by its former name and the seat of Justice established in the town of Brazoria. (Gammel, Laws of Texas, I, 535)

On January 22, 1836, the General Council, as the Provisional Government of Texas, approved a decree opening courts in municipalities. The terms of this act were substantially the same as those which had been in force under the laws of Mexico. (Ibid., 1039)

Prior to this decree the General Council had appointed L. C. Manson first judge, and Robert Miller second judge, for the Municipality of Brazoria on November 28, 1835. (Telegraph and Texas Register, San Felipe, January 16, 1836) These actions were contemplated to maintain the even flow of justice until a permanent form of local government could be established.

The Municipality of Brazoria sent Edwin Waller, Asa Brigham, James Collingsworth, and John S. D. Byrom to the Convention which met at Washington-on-the-Brazos on March 1, 1836. (Gammel, Laws of Texas, I, 508) These men were among the signers of the Declaration of Independence, which was presented to and ratified by the delegates on the following day, March 2, 1836.

During the general flight (Runaway Scrape) which took place in April, 1836, local government collapsed and did not completely function again until after counties were formally organized in 1837.

Provisional President David G. Burnet appointed Benjamin C. Franklin District Judge, District of Brazos, on June 15, 1836, to preside over a special district court with admiralty jurisdiction. This court met at Velasco to try a prize, the Brig Pocket, captured by the Texans off Velasco. The court condemned the ship and turned it over to the proper authorities. (C. T. Neu, "The Case of the Brig Pocket," Southwestern Historical Quarterly, XII, 276-295)

Instruments filed in civil and probate cases in Brazoria County, issued by Judge Franklin during 1836 and 1837, indicate that his court assumed general administration of justice until Brazoria County was formally organized on February 20, 1837. (Probate Records, Brazoria County Archives)

2. Governmental Organization and Records System

A. Republic of Mexico, 1832-1835

No well-defined uniform system of local government was developed by Spain for her American colonies during her three centuries of New World domination. She dealt with each locality as a distinct problem, vesting colonial authority in viceroys and audiencias. After the revolution of 1821, the internal affairs of Mexico were so unstable that for over a decade local government received little attention from central or state authorities. Under these chaotic conditions Stephen F. Austin introduced American colonists into the territory assigned under his empresario contract finally approved April 14, 1823.

Returning from Mexico City, Austin tried to determine the full extent of his authority and the form of local government which would be granted his colony. In August, 1821, just before the fall of the Spanish regime, Governor Martinez had instructed him: "You will cause all the colonists

to understand that until the government organizes the authority which is to govern them and administer justice, they must be governed by and be subordinate to you." (Barker, Readings in Texas History, 103-104) In June, 1823, General Felipe de la Garza, the Mexican commandant of the Eastern Interior Provinces, instructed Austin to keep a complete record of all trials and verdicts in capital crimes, referring the same to the superior government at Saltillo, Coahuila, for final approval. While awaiting confirmation of sentences, prisoners were to be worked at hard labor on public roads. (Ibid., 104) Austin governed the colony and administered justice under these instructions, as nearly in conformity with established laws as could be determined, until local self-government was created. (Barker, The Life of Stephen F. Austin, 98)

With the organization of the Ayuntamiento of San Felipe de Austin by the election of February 3-4, 1828, constitutional local self-government was established for the first time in the colony. (Ibid., 210) All of Austin's Colony was governed by this ayuntamiento until the creation of the Municipality of Brazoria on April 28, 1832, by the Congress of Coahuila and Texas under Decree No. 196, Art. 3:

The executive shall accord the proper measures in order that the inhabitants of Brazoria, at the approaching elections for new ayuntamientos, may proceed to elect the Ayuntamiento established by this law. (Gammel, Laws of Texas, I, 418)

The ayuntamiento, long a part of the Spanish colonial system, was the administrative agency of local self-government. Elective officers were an alcalde, two or more regidores, and a sindico procurador. (Ibid., 145)

Dr. Eugene C. Barker in his study on the government of the colony explains:

The duties of the ayuntamiento covered a wide range, including most of the functions of a modern city commission and some of those belonging to the county commissioners--to promote the establishment of hospitals, poor houses and educational and charitable institutions, and to administer them when established; to license qualified and properly certified physicians and druggists and prevent others from practicing; to appoint boards of health, inspect foods, markets, and drug stores, keep the streets clean, visit prisons, drain lakes and stagnant ponds, and wage continual war on every menace to the health of man and beast; to see that streets were straight and ornamented with shade trees, and wherever possible, paved and lighted; maintain roads and public buildings; preserve the forests; punish vagabonds, drunkards, idlers, and gamblers; promote agriculture, industry, and commerce; administer municipal funds, which, with the consent of the Governor and Legislature, might be raised by taxation; establish and supervise primary schools; and take the census every six months--these were the more important duties of the ayuntamiento. (Barker, "The Government of Austin's Colony, 1821-1831," Southwestern Historical Quarterly, XXI, 23)

Ayuntamientos were required to file annually a report with the political chief (jefe politico) of the department, setting forth the condition of the community during their administration. (Gammel, Laws of Texas, I, 74) All estrayed stock was to be reported to the ayuntamiento, which should determine the owner and return it if possible; if not, dispose of it in the manner prescribed by law. (Ibid., I, 418) The Mexican Congress could require the ayuntamiento to collect taxes, organize and equip militia companies, and care for indigent free negro children. (Ibid., I, 169; see also Barker, "Minutes of the Ayuntamiento of San Felipe de Austin," Southwestern Historical Quarterly, XXI, 299, 301)

The Ayuntamiento of Brazoria apparently did not function efficiently, as Henry Smith, political chief of the Department of Brazos, issued an order: "Finding the ayuntamiento of this jurisdiction disorganized and feeling unwilling that it should lose its political existence... The citizens are hereby notified that an election will be held on the 8th day of November [1834]..." (The Texas Republican, Brazoria, November 1, 1834) A few of the proceedings of the ayuntamiento have been discovered, consisting mainly of broadsides issued either to protest the acts of the Mexican Government or to call special meetings. (Barker, Austin Papers, II, 1069-1070)

For the administration of justice, Austin's Colony was divided into precincts, over each of which a magistrate, who was called variously comisario, alcalde, or primary judge, presided. Henry Smith, while alcalde, said: "To make these terms a little more intelligible, suffice it to say, the Alcalde is a judicial officer possessing great power, and is president of the Ayuntamiento when in session--the whole body may be compared to the Mayor and Aldermen of a city..." (Henry Smith, "Reminiscences of Henry Smith," Southwestern Historical Quarterly, XIV, 30) An alcalde in the capital of a municipality combined the duties of president of the ayuntamiento and magistrate of the alcalde court.

Alcaldes, as magistrates, were required to keep dockets and registers of official acts, receive written petitions before suits could be brought, issue proper summons, render judgments, issue executions and require proper returns thereon. They had original and final jurisdiction over cases involving amounts less than ten dollars; with or without the assistance of arbitrators, over amounts between ten and twenty-five dollars; and with arbitrators over amounts exceeding twenty-five dollars. (D. W. C. Baker, A Texas Scrap-Book, 175)

Entries in the dockets, which contain summaries of court proceedings, and the case papers indicate that jurisdiction of these courts increased until they assumed original jurisdiction over cases involving much larger amounts. In the case of Charlotte Robertson, alias Jackson, vs. Asa Brigham and William T. Austin, administrators for Edward Robertson, March 12, 1834, the amount involved was \$2,300. (Docket, Jurisdiction of Brazoria, Case No. 120, 121, Brazoria County Archives) A judgment for \$2,524.10 was confessed by William T. Austin on March 18, 1834. (E. W. Gregory vs. William T. Austin, Ibid., Case No. 94) Other cases involved amounts ranging from a few dollars to several hundred.

The alcalde court also assumed probate jurisdiction over the property of deceased persons, appointing appraisers and administrators and approving letters of administration. (Probate Records, Brazoria County Archives)

The usual procedure in civil cases was to issue a notice to both parties to effect, if possible, amicable settlement, or in modern phraseology, "settle out of court." If the parties failed to reach an agreement, the case was tried by the court before the alcalde, alone or with arbitrators. Neither the plaintiff nor the defendant was required to be present, but each had to be represented by counsel or a responsible party. (Docket, Jurisdiction of Brazoria, Case No. 163, Brazoria County Archives)

Procedure was altered to fit unusual occasions, sometimes conforming with that of courts of the former residence of the alcalde. Edwin Waller abrogated the procedure of the court in March, 1834, establishing the customs and practice of Louisiana:

At the March term of the Alcaldes Court for the Jurisdiction of Brazoria--The following order was entered by the court after consultation of all the causes at the bars: It was ordered that the old order of this Court be abrogated (X) and that the code of practice for the State of Louisiana be adopted as the rules of this Court so far as they are applicable and in conformity with the existing laws of this State And it was ordered that the same be adopted and conformed to as the rules of this Court from this time forward I certify the above

Edwin Waller
Alcalde
(Ibid., Case No. 122)

Upon the announcement of a judgment, an execution was granted, which was served by the executive officer of the court, who made a proper return thereon. Executions read surprisingly like those issued by modern courts, and the officer's return was similar to present-day instruments. The court issued the usual executions, mandates, judgments, certificates, notices (citations), capiases, subpoenas, and other necessary court papers. Dockets of the court were similar to those of modern justices of peace, containing the names of the parties, number of the case, recapitulation of fees, names of attorneys, a brief statement of proceedings, and orders of the court.

A criminal code for Austin's Colony, approved May 24, 1824, dealt mainly with offenses committed by Indians, or by or against slaves; and provided for the return of fugitive slaves. Other provisions included penalties to be assessed against offenders committing crimes within the colony--murder, theft, gambling, profane swearing, drunkenness, cohabitation without marriage, counterfeiting or passing counterfeit money. Horse racing was excepted from the provision against gambling, because it was "calculated to improve the breed of horses." (Barker, "The Government of Austin's Colony, 1821-1831," Southwestern Historical Quarterly, XXI, 6)

Theft was punished by sentences to hard labor on public works. For amounts less than ten dollars the sentence was from one to three months; from ten to one hundred dollars, from one to two years. A culprit guilty of three offenses was first exhibited in a public place with a board on his head bearing the words "for theft." (Gammel, Laws of Texas, I, 166)

Alcalde Henry Smith summarized the difficulties of a magistrate:

Our laws respecting criminal proceedings were very defective and like most of the Mexican laws everything was sacrificed to forms... I had the right to arrest and if found necessary hold the prisoner in custody, but could not try and inflict punishment. By the law it was my province to take the testimony in the case and transmit it 800 miles to the seat of government to be investigated and tried by the Supreme Court.... This was not only in Criminal, but in Civil suits when taken up by appeal. (Henry Smith, "Reminiscences of Henry Smith," Southwestern Historical Quarterly, XIV, 32)

Only three criminal cases were discovered among the records surveyed: One for theft, State of Coahuila y Texas vs. Chephas (Docket for the Precinct of Victoria, Municipality of Austin, 58, 68); one for trespass and assault, McGee vs. Daniel Millican, September 23, 1835 (Alcalde Court Papers, Brazoria County Archives); and one in which the crime (presumably murder) was not named, People of the Jurisdiction of Brazoria vs. Ruben P. T. Stone (Docket, Jurisdiction of Brazoria, Case No. 80, Brazoria County Archives) In the case against Chephas, a free negro, the defendant's services were sold to repay his accuser for money stolen. In McGee vs. Millican, civil damages were recovered by the plaintiff. Stone was tried before a jury of twelve men selected from a jury panel of 48 freeholders, who sentenced him to receive 39 lashes to be applied to his bare back, to be branded with an M in his bare hand, and required him to leave the colony within ten days or be considered an outlaw. In these cases procedure was similar to that of a modern justice court, requiring that some informant come forward and make a statement; a brief examining trial was then held, which was followed by a formal jury trial if the evidence warranted it.

Capital crimes could be tried by the alcalde court but final sentence had to be approved by the superior court of the State of Coahuila and Texas, at Monclova, Mexico. The alcalde was required to send a transcript of the case to the superior court for final disposition. (Barker, The Life of Stephen F. Austin, 87)

Under Decree No. 277, April 17, 1834, the Congress of Coahuila and Texas established "A plan for the better regulation of the Administration of Justice in Texas." A judicial circuit designated as "The Superior Judicial Court of Texas" established a superior court in each of the three political departments, Bexar, Brazos, and Nacogdoches. (Gammel, Laws of Texas, I, 364) Thomas J. Chambers was appointed superior judge for the Department of Brazos, and although he received thirty leagues (132,849 acres) of land for a year's salary, he never held a session of the court. David G. Burnet was appointed late in 1834 and held several sessions. (John Henry Brown, History of Texas, I, 262)

Under the provisions of this decree primary courts were established in each municipal capital, and a comisario who presided in each of the jurisdictions. (Gammel, Laws of Texas, I, 364) These courts were comparable to modern county courts-at-law and justice courts. They functioned until the Provisional Government of Texas was established October 16, 1835.

Dr. Barker explains:

The duties of the regidores and of the sindico procurador are nowhere clearly defined, the various Spanish and Mexican laws concerning the ayuntamiento assuming, apparently, that their functions were too well known to require statement. In general, the regidores may be compared with aldermen or city commissioners. They served on committees and looked after various branches of municipal administration, and in the absence of the alcalde the first regidor (ranked according to the number of votes received at election) acted in his place. The sindico seems to have been a sort of combination notary and city attorney. In addition to these officers, the alcalde appointed a sheriff, and the ayuntamiento chose a secretary, an official of more than usual importance because he had to serve as interpreter and translator in all relations with the superior authorities. (Barker, The Life of Stephen F. Austin, 211)

Austin assisted in securing the passage of a law establishing a state religion: "the Government of the Mexican Nation will protect the liberty, property, and civil rights of all foreigners who profess to the Roman Apostolic Religion, the established religion of the empire." (Gammel, I, 28; see also William Stuart Red, The Texas Colonists and Religion, 24-26) To be legal a marriage ceremony had to be performed by a priest of good standing. The colonists entered into a form of civil marriage through contracts, agreeing to present themselves to the first legal priest visiting the colony. These contracts were simple pledges, accompanied by bonds of sufficient amounts, that the parties thereto would comply with the laws of the state. (Marriage Records, Brazoria County Archives) They were usually subscribed to before the alcalde, but occasionally only witnesses attested the marriage contract.

Other provisions of the general laws enforced in the colony required posting notice of all strayed stock picked up and impounded, and registration of stock brands. (Barker, "The Government of Austin's Colony, 1821-1831," Southwestern Historical Quarterly, XXI, 223-252) Unfortunately, none of these records were found for the Municipality of Brazoria.

Mexican authorities required Austin to keep a register of all deeds, grants, and other instruments at the capital of the colony, San Felipe de Austin. On the first page was to be written, "Register of the documents and titles, issued in the first enterprise of colonization of the empresario, citizen Stephen F. Austin, in Texas." At the close of each entry was to be written, "The foregoing instrument of writing, is literally copied from its original, which is on file in the archives of this colony; date and signature of the [land] commissioners, empresario, and alcalde, with assistant witnesses." (Gammel, Laws of Texas, I, 37) From the instruments in this register the settlers were later able to obtain copies of their deeds and grants to comply with an act of the Congress of the Republic of Texas validating land titles. The copies of deeds recorded in Record of Spanish Deeds, Brazoria County Archives, were made from instruments recorded in this register. Law required that all instruments be written on officially stamped paper, but the citizens of Austin's Colony were exempted from these

provisions for ten years; so the majority of the records in the colonial archives of Brazoria do not bear this stamp. (Gammel, Laws of Texas, I, 207) Court papers follow the same general legal form of documents of present-day courts, and were usually properly acknowledged. A number of them were printed forms but the majority were handwritten.

B. Provisional Government of Texas, 1835-1836

With the establishment of the Provisional Government by the General Council, which grew out of the Consultation held at San Felipe on October 16, 1835, the Municipality of Columbia (Brazoria) was recognized. (Ibid., I, 508)

During the period which followed, local governments concerned themselves principally with raising and equipping troops for the Texas army in the conflict with Mexico, neglecting or paying only scant attention to their civic responsibilities.

The General Council passed a decree on January 22, 1836, creating courts of justice for the several municipalities. The decree stipulated that a term of court should be held once in each three months' period, the first judge of each municipality holding probate court on the first Monday of each month at the courthouse or the clerk's office. (Ibid., I, 1039) A notice published in The Texas Republican, Brazoria, March 2, 1836, indicates that probate court was held in the Municipality of Brazoria under the Provisional Government:

Primary court Jurisdiction of Brazoria

Whereas John Chaffin has this day filed a petition in my office praying letters of Administration may be issued authorizing him to settle the estate of P. W. Gordon, late of the town of Columbia in said Jurisdiction.

All persons are hereby notified that unless objects are filed in my office within ten days the prayer of the petitioner will be granted upon his complying with the terms of the law.

At office this 23rd Feb. 1836

L. C. Manson

Primary Judge

Two other petitions to settle estates were published at the same time. A careful study of the probate records in the Brazoria County Archives indicates that this probate court functioned until a special district court was established for the District of Brazos on June 15, 1836.

The Provisional Government established a district court for the Department of Brazos on March 12, 1836, with admiralty jurisdiction to try a prize, the Brig Pocket, but this court did not function because James Collingsworth, who was appointed judge, declined to serve. David G. Burnet, Provisional President of Texas, on June 15, 1836, appointed Judge Benjamin C. Franklin to preside over this court, which condemned the brig and turned it over to the proper authorities. (C. T. Neu, "The Case of the Brig Pocket," Southwestern Historical Quarterly, XII, 276, 295)

In addition to performing this duty, Judge Franklin held sessions of the court to deal with probate and civil cases. (District Court Records, Brazoria County Archives) Papers filed in a number of probate and civil cases indicate that this court functioned until Brazoria County was formally organized February 20, 1837, when the county and district courts assumed jurisdiction over cases within the county. An act of the Congress of the Republic of Texas on December 29, 1837, declared that judgments rendered by the alcalde and primary courts were valid, and ordered the new courts to continue cases initiated before the revolution. (Gammel, Laws of Texas, I, 1462)

3. Housing, Care, and Accessibility of the Records

Public records of the Municipality of Brazoria were taken over by Brazoria County when it was organized on February 20, 1837. These early documents formed the basis of the county records system, and offices established by the formation of county government assumed custody of the records of the municipality.

Many unbound instruments were filed haphazardly, without logical arrangement or order. During the hundred years elapsing since the possession of these papers passed to the county, some were naturally misplaced or lost in the regular order of business; some during the removal of the county seat from Brazoria to Angleton on October 28, 1896; and others during the severe Gulf storm of 1932, which shattered the windows of the courthouse, blowing many loose sheets from the building.

Three dockets: Docket, Jurisdiction of Brazoria; File Docket; and A General Docket of All the Suits Instituted Before the Primary Court of the Jurisdiction of Columbia, 1835, are wrapped with heavy brown paper and marked Dockets, Municipality of Brazoria, 1834-1835. The Docket, Jurisdiction of Brazoria should be re-bound as the cover is badly torn and broken. The other volumes are in better condition. These dockets are deposited in a steel wall-cabinet along the north side of the county clerk's record room.

Marriage records are filed with later licenses in a file box marked Old Marriage Bonds and Marriage Licenses. Miscellaneous papers of the alcalde courts are in a box marked Old Papers, No. 1. Two executions from the alcalde court are with current instruments in a box marked Executions Issued and Returned.

Probate papers are filed numerically by case numbers in six rows of file boxes in the record room of the county clerk's office. Each case is filed in a separate container bearing the number of the case. Case numbers may be secured by consulting the Index to Probate Cases (1832-1937), which is arranged numerically by case number, or by consulting the Index to Probate Cases (1832-1844), which is arranged alphabetically by the surname of the deceased person. Four other probate cases, those of Dr. James Grant, David S. Waltman, John McCroskey, and John Faddin, are filed in the container marked Old Papers, No. 1.

The file box marked Old Papers, No. 1 is in the county clerk's office in the upper tier of the row of file boxes, sixth from the right, in the center of the room; and one box, Executions Issued and Returned, is in the fifth tier from the bottom, eleventh box from the left end. It is necessary to use

either a ladder or a chair to reach these boxes. The file box marked Old Marriage Bonds and Marriage Licenses is the first from the left, in the lower tier of boxes on the north wall, immediately below the boxes containing probate papers.

In the district clerk's office one file box marked Old Alcalde has two manila containers of records of the municipality. One is marked Alcalde Court Papers, and the other Exhibits, in 15491, Conley vs. Abrams. One docket, Docket for the Precinct of Victoria, Municipality of Austin, is filed with other dockets in the north counter-shelves in this office. The File Docket, Jurisdiction of Columbia, comprises the last fifty-three pages of Execution Docket, Vol. B, which is deposited with other execution dockets of the district court in this office.

Records of civil cases which originated either in the alcalde or primary courts or had their cause based on actions prior to February 20, 1837, are recorded in the first volume of a set of books titled Final Record in the district clerk's office. This volume is deposited in the upper tier, first row, in the set of counter-shelves. Civil cases are filed with other cases in file boxes along the east wall. The unbound records should be segregated and arranged in chronological order within respective titles, and filed in separate containers marked with titles. The dockets should be cleaned and re-bound to insure their preservation. The papers and dockets should be brushed with a soft camel's hair brush to remove dust, and brushed lightly with oil of cloves to guard against destruction by vermin. A few of the very badly torn records should be patched with transparent tape or glue. Some of the writing could be restored to its original clearness if treated by the proper method under the supervision of an expert versed in the use of restorative chemicals. By judicious care and treatment these instruments could be preserved indefinitely.

Besides the obvious value of these records to the historian of Colonial Texas, many of them are still used in court proceedings. In 1923, for example, the case of Conley vs. Abrams, No. 15491, required the use of many papers and transcripts from the dockets of these early courts.

4. List of Abbreviations and Symbols

adm.	administrator
adms.	administrators
agt.	agent
alph.	alphabetical, alphabetically
arr.	arranged
Art.	article
C.C.	county clerk
chron.	chronological, chronologically
D.C.	district clerk
exr.	executor
<u>Ibid.</u>	See nearest preceding reference.
no.	number
nos.	numbers
p.	page
pp.	pages
Sec.	section

vol.	volume
vols.	volumes
vs.	versus
x	by
--	to date

() Titles of entries enclosed in parentheses are supplied editorially when the title found was inadequate.

Entry Numbers: Records are numbered throughout this Inventory in one series (1-13). Reference is made to an entry by title and number: Record of Spanish Deeds, 1.

Dates: First and last year dates covered by a particular title are shown in the title-line of its entry.

Condition: If no notation is made concerning the condition of a record, it may be assumed to be excellent or good.

Size: Size of containers is given in inches:
10 x 4 $\frac{1}{2}$ x 2.

Legibility: The handwriting on early documents is not always easily decipherable. The letters I and J, S and T, D and Q are often confusing. Failure to dot the i makes it hard to distinguish from the e. The cramped style of some writers makes it difficult to distinguish the n and m, ii and ll, oo and d.

Spelling of Names: Throughout the book names are shown as found on the documents, and as read. In the general index variations appear in alphabetical arrangement. Wherever possible full names and initials have been secured and appear in the general index.

1. RECORD OF SPANISH DEEDS, 1823-36. 1 vol.

Copies of land grants and deeds granted by Mexico to colonists, or transferred by the colonists among themselves, for land within the present boundaries of Brazoria County. Each instrument shows the name of grantor, name of grantee, date of instrument, amount of land involved, location and description of property, date of transfer, date of recording, and signature of county clerk. The instrument is written in Spanish; the acknowledgment by the county clerk is in English. Validity of title was established by the Constitution of 1836, and laws passed by the First Congress of the Republic of Texas, which required the recording of all deeds and grants by parties occupying land. Arr. chron. by date of recording. Alph. index (in English) by name of grantor. Handwritten. 500 pp. 18 x 12 x 2. C.C., office.

2. TRANSCRIBED SPANISH RECORDS, 1823-36. 1 vol.

English translation of copies of land grants and deeds recorded in Record of Spanish Deeds, 1. The translation was made by F. Touchon, Houston, Texas, Spanish translator, and acknowledged by G. W. Gales, county clerk, Brazoria County, on September 1, 1893. Arr. chron. by date of recording, with deed nos. identical to those of the original instruments. Alph. index by name of grantor. Handwritten. 500 pp. 18 x 12 x 2. C.C., office.

The following direct alphabetical index by name of grantor, to deed number in Record of Spanish Deeds, 1, and Transcribed Spanish Records, 2, has been copied from the original index in the volumes.

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The following reverse alphabetical index, by name of grantee, to deed number in Record of Spanish Deeds, 1, and Transcribed Spanish Records, 2, has been prepared by the Historical Records Survey.

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Austin, Emily M., and James F.		Mexican Government	40, 42
Perry from Mexican		Burnet, David G. from	
Government	162, 181	Imla Keep	408
Austin, Henry from		Byron, J.S.D., and E.	
William Harris	11	Jeffery from John Austin	128
Austin, Henry from Mexican		Calvit, Frederick from	
Government	5, 7, 101, 228	Imla Keep	260
Austin, J., and G.B. McKinstry		Caple, E. from F. Robinson	238
from James Baird	23	Caple, E., and O. Pitts from	
Austin, S.F. from T.W. Duke,		F. Robinson	116
curator of W. Parker	122, 125	Carson, William C. from	
Austin, S.F. from		Mexican Government	293
Edward Dickinson	217	Chance, S. from J.H. Polley	130
Austin, S.F. from Mexican		Cumming, William from	
Government	173, 245	Mexican Government	345
Austin, S.F. from Wm. Selkirk	224	Davis, K.W. from	
Austin, S.F. from W.C. White	241	Mexican Government	109
Battle, M., M. Berry, and J.		Eckel, Wm. from John Austin	76
Williams from Mexican		Edwards, Anos from	
Government	78	Mexican Government	150

(Grantee from Grantor)

Fields, J.F. from		Perry, James F. from	
Mexican Government	236	S.F. Austin	168, 171
Fulchear, Churchill from J. Jones	107	Perry, J.F., and Emily	
Fulchear, Treavy from J. Crunck	91	M. Austin from	
Gorbet, Chester from		Mexican Government	162, 181
Mexican Government	154	Peyton, J.C. from C. Smith	73
Hall, Angier, and Bradley from		Pitts, O., and E. Caple	
Mexican Government	275	from F. Robinson	116
Hall, William from		Polley, J.H. from S. Chance	130
Mexican Government	197	Polley, J.H. from W. Organ	132
Harrison, G. from		Prater, William from	
Mexican Government	232	Mexican Government	158
Hawkins, G.A. and J.H. heirs of		Roberts, Andrew from	
from S.F. Austin	57	William Roberts	332
Hawkins, J.H. and G.A. heirs of		Sayre, C.D. from	
from S.F. Austin	57	John Austin	38, 44, 46
Jeffery, Edmund from		Sayre, C.D. from S.F. Austin	114
W.T. and E.E. Austin	55	Sayre, C.D. from	
Jeffery, E. and J.S.D. Byrom		S.F. and John Austin	48
from John Austin	128	Sayre, C.D. from	
Johnson, Walker, and Borden from		J.B. Bailey	26, 29
Mexican Government	210	Sayre, C.D., E. Andrews, and	
Jones, J. from C. Smith	104	S. McNeel from Henry Austin	1
Jones, O. from J. S. Williams	145	Sayre, C.D., and E. Andrews	
Kerett S. from Horatio A.		from W. Parker by T.W. Duke,	
Alsbury	417, 421	curator	52
Knight, James from G. Robinson	290	Sayre, C.D. from J.C. Peyton	68
Lewis, Ira R. from		Shelby, David from S. Marsh	207
Mexican Government	213	Smith, C. from W. Roberts	88
Lindsey, Benjamin from		Smith, C.C. from	
Mexican Government	270	Mexican Government	83
McCormick, J. from S. Marsh	378	Talley, D. from	
McKinstry, G.B. from Mandey Berry	20	Mexican Government	384
McKinstry, G.B. from		Tennel, George from	
Mexican Government	18	Mexican Government	111
McKinstry, G.B., and J. Austin		Walker, Johnson, and Borden	
from James Baird	23	from Mexican Government	210
McNeel, S., E. Andrews, and C.D.		Ware, James from Henry Smith,	
Sayre from Henry Austin	1	exr. of J.B. Bailey	204
Marsh, S. from		Williams, D.H. from Clark and	
Mexican Government	94, 98	Fowler, curators of	
Milburn, D.H. from B. Fowler	264	Samuel Carter	266
Milburn, D.H. from S.		Williams, J., M. Battle, and	
Richardson	262, 268	M. Berry from	
Millican, John from T.W. Duke,		Mexican Government	78
curator of W. Parker	200	Williams, John from	
Mitchell, Asa from		John McCloskey	215
John P. Coles	380	White, W.C. from H. Curtis,	
Moore, Francis from		curator of J.F. Long	406
Mexican Government	226	White, W.C. from S.E. Groce	241
Moore, J.H. from T. Grey	276	Young, T. from J. Austin	51

3. MARRIAGE RECORDS, 1829-36. 29 papers.

Original marriage bonds and contracts executed between parties under laws of Mexico permitting civil agreements until legal ceremonies could be performed. Shows date of contract, name of man, name of woman, conditions of contract, amount of agreement, signatures of principals, signatures of witnesses. The full texts of three contracts are given as examples. Arr. chron. by date of instrument. No index. Index prepared by Historical Records Survey follows entries. Filed in file box marked Old Marriage Bonds and Marriage Licenses. C.C., office.

1829

No. 1. Andrew Robinson and Mary G. Allen, Austin's Colony, Precinct of Victoria, March 17, 1829. Marriage agreement. Full text:

Be it known that we, Andrew Robinson and Mary G. Allen, of lawful age of Austin Colony, wishing to unite ourselves in the bonds of matrimony and there being no Priest in the Colony to celebrate the same. Therefore, I, Andrew Robinson, do agree to take and do hereby take Mary G. Allen to be my legal and lawful wife and as such to cherish, support and protect her, forsaking all others and keeping myself true and faithful unto her alone. And, I, Mary G. Allen, do agree and do hereby take Andrew Robinson to be my legal and lawful husband and as such to love, honor and obey him, forsaking all others and keeping myself true and faithful to him alone. We mutually bind ourselves to each other in the sum of five thousand dollars to have our marriage celebrated by the Priest of this Colony or some other priest authorized to do the same whenever an opportunity offers, all of which we promise in the name of God and in the presence of Alexander Hodge, Commissioner for the precinct of Victoria in said Colony and other witnesses present whereof we have hereunto set our hands this 17th day of March, 1829.

Witnesses

Andrew Robinson
her

W. M. Ross

Mary X G. Allen
mark

James Lynch

No. 2. Samuel Hinch and Leah Ann Alsbury, Jurisdiction of Austin, April 21, 1829. Marriage contract.

No. 3. William E. Alcorn and Sarah Kigans, Austin's Colony, Precinct of Victoria, July 2, 1829. Marriage contract.

No. 4. William Barrett and Elizabeth Wient, Austin's Colony on Brazos River, July 8, 1829. Marriage contract. Full text:

Be it known that we William Barrett and Elizabeth Wient of lawful age of Austin Colony and State of Cuahula and Texas wishing to unite ourselves in the bonds of matrimony and there

being no Priest in the Colony to Celebrat the same --
 Therefore I William Barrett do agree to take and do hereby
 take Elizabeth Wient to be my legal and lawful wife and as
 such to cherish support and protect her forsaking all others
 and keeping myself true and faithful unto her alone. And I
 Elizabeth Wient do agree to take and Do hereby take William
 Barret to be my leagal and Lawful husband and as such to
 love Honor and obey him forsaking all others keeping myself
 true and faithful unto him alone, and we also mutually bind
 ourselves to each other in the sum of five Thousand Dollars
 to have our marriage Celebrated by the Priest of this Colony
 or some other Priest Authorized so to do so soon as an
 opportunity offer, all of which we do promise in the name of
 God and in the presence of Alex-Hodge Commissario and the
 other witnesses Present in Testimony whereof we have hereunto
 set our hands on the River Brazzos this Eight Day of Jeuly
 in the year of our Lord 1829.

Margaret Canday
 A. Hodge

William Baret
 her
 Elizabeth X Wiant [sic]
 mark

1830

No. 5. James Hodge and Zulema Kyrkendall, no place given, March 18, 1830.
 Marriage contract.

No. 6. Lima Barker and Elizabeth Standeford, Austin's Colony, Precinct of
 Victoria, November 4, 1830. Marriage agreement.

1831

No. 7. Henry F. Nichols and Leah Barclay, Austin's Colony, Precinct of
 Victoria, January 20, 1831. Marriage agreement.

1832

No. 8. Horace Stratton and Ann R. Jacob, Tuscaloosa, Greene County, Ala-
 bama, month and day not given. Marriage agreement and settlement protect-
 ing the property of Ann R. Jacob.

1833

No. 9. Elisha Maxey and Sally M. Bowls, Department of Bexar, Jurisdiction
 of Brazoria, May 3, 1833. Marriage contract. Full text:

State of Coahula & Texas	{	
Department of Bexar	{	To whomsoever these presents shall
Jurisdiction of Brazoria	{	come be it known That we Elisha

Maxey and Sally M Bowls of lawful age of the above jurisdiction in
 Austin Colony, wishing to unite ourselves in the bonds of matrimony
 and there being no authority here competent to consummate the same--
 Therefor I Elisha Maxey do agree and by these presents do take Sally

Bowles to be my legal and lawful wife, and as such to love cherish support and protect, forsaking all other keeping my self true and faithful unto her alone--And I Sally M. Bowles do agree and by these presents do take Elisha Maxey to be my legal and lawful husband such to love honor and obey forsaking all others keeping myself true and faithful unto him alone--And we do hereby mutually agree and bind ourselves to each other in the sum of five thousand dollars to have our marriage consummated by competent authority so soon as an opportunity offers-- All of which we solemnly in the name of God-- In the presence of Henry Smith Alcalde for the foregoing jurisdiction and the undersigned witness-- In testimony whereof we have hereunto set our hands in the above jurisdiction this third day of May in the year of our Lord eighteen hundred and thirty three.

S. Bowen
William R. Sandes

Henry Smith
Alcalde

Elisha Maxey
Sally M. Bowls

No. 10. Greenville McNeal and Ann A. Westall, Department of Bexar, Jurisdiction of Brazoria, May 28, 1833. Marriage contract.

No. 11. Jared E. Groce and Mary Ann Calvit, Department of Bexar, Jurisdiction of Brazoria, October 1, 1833. Marriage bond.

1834

No. 12. Henry S. Brown and Caroline Scott, Department of Bexar, Jurisdiction of Brazoria, January 9, 1834. Marriage agreement.

No. 13. T. F. L. Parrott and Elizabeth E. Austin, Department of Bexar, Jurisdiction of Brazoria, January 28, 1834. Marriage contract.

No. 14. William Baird and Margaret Bridges, Department of Bexar, Jurisdiction of Brazoria, March 14, 1834. Marriage bond.

No. 15. William Page and Mariah H. Osborn, Department of Bexar, Jurisdiction of Brazoria, July 24, 1834. Marriage bond.

No. 16. Pickney S. McNiel and Harriet Cox (handwriting differs from 29), August 28, 1834. Marriage agreement.

No. 17. Edward Galleher and Nancy C. Rector, Department of Bexar, Jurisdiction of Columbia, October 9, 1834. Marriagebond.

No. 18. Franklin C. Gray and Mary Ann Pitts, Department of Brazos, Jurisdiction of Columbia, November 12, 1834. Marriage contract.

1835

No. 19. Robert D. Moore and Ann C. Hunter, Department of Brazos, Jurisdiction of Columbia, February 5, 1835. Marriage contract.

No. 20. Jesse K. Davis and Eliza Davis, Jurisdiction of Columbia, May 5, 1835. Marriage contract.

No. 21. John James and Sarah Ann Cowan, Department of Brazos, Jurisdiction of Columbia, September 17, 1835. Marriage bond.

No. 22. Allen Larrison and Susan Stringfellow, Department of Brazos, Jurisdiction of Columbia, September 24, 1835. Marriage contract.

No. 23. John B. Cowan and Mary McNeel, Department of Brazos, Jurisdiction of Columbia, October 13, 1835. Marriage bond.

No. 24. John Woodruff and Sally Smith, Department of Brazos, Jurisdiction of Columbia, October 18, 1835. Marriage bond.

No. 25. Josiah T. Harrell and Margaret Jameson, Department of Brazos, Jurisdiction of Columbia, October 29, 1835. Marriage contract and bond.

No. 26. Edward W. Estes and Mrs. Amelia Wilson, Department of Brazos, Jurisdiction of Columbia, December 13, 1835. Marriage bond.

1836

No. 27. Thomas R. Stiff and Ann W. Winson, Department of Brazos, Jurisdiction of Brazoria, February 10, 1836. Marriage bond.

No. 28. John Sharp and Sarah Jane Wharton, Department of Brazos, Jurisdiction of Brazoria, February 10, 1836. Marriage bond.

No date

No. 29. Thomas R. Erwin and Harriet H. Cox, (no place given). Marriage agreement.

The following list gives names of men who were parties to marriage agreements. Reference is to assigned number.

Alcorn, William E.	3	Hodge, James	5
Baird, William	14	James, John	21
Barker, Lima	6	Larrison, Allen	22
Barrett, William	4	Maxey, Elisha	9
Brown, Henry S.	12	McNeal, Greenville	10
Cowan, John B.	23	McNiel, Pickney S.	16
Davis, Jesse K.	20	Moore, Robert D.	19
Erwin, Thomas R.	29	Nichols, Henry F.	7
Estes, Edward W.	26	Page, William	15
Galleher, Edward	17	Parrott, T. F. L.	13
Gray, Franklin C.	18	Robinson, Andrew	1
Groce, Jared E.	11	Sharp, John	28
Harrell, Josiah T.	25	Stiff, Thomas R.	27
Hinch, Samuel	2	Stratton, Horace	8
		Woodruff, John	24

The following list gives the names of the women who were parties to marriage agreements. Reference is to assigned number.

Allen, Mary G.	1	Barclay, Leah	7
Alsbury, Leah Ann	2	Bowls, Sally M.	9
Austin, Elizabeth E.	13	Bridges, Margaret	14

Calvit, Mary Ann	11	Osborn, Maria H.	15
Cowan, Sarah Ann	21	Pitts, Mary Ann	18
Cox, Harriet	16	Rector, Nancy C.	17
Cox, Harriet H.	29	Scott, Caroline	12
Davis, Eliza	20	Smith, Sally	24
Hunter, Ann C.	19	Standeford, Elizabeth	6
Jacob, Ann R.	8	Stringfellow, Susan	22
Jameson, Margaret	25	Westall, Ann A.	10
Kigans, Sarah	3	Wharton, Sarah Jane	28
Kyrkendall, Zulema	5	Wient, Elizabeth	4
McNeel, Mary	23	Wilson, Mrs. Amelia	26
Winson, Ann W.	27		

III. ESTATES

4. PROBATE CASES, 1787-1869. 60 containers.

Original instruments, notices, and probate letters, which were used in the administration of estates. Cases which were probated, or contained instruments dated prior to February 20, 1837, are listed below. An act of the Congress of the Republic of Texas on December 29, 1837, decreed that actions pending in the courts before the revolution should be continued in the courts of the Republic. (Gammel, Laws of Texas, I, 1462) It was a custom of the early courts to assume charge of all real and personal property of deceased persons who died intestate without heirs; consequently, a number of private letters have been filed with case papers. Dates given in the title lines are those contained in the papers, not the filing dates. The case number may be secured from the list of estates following the inventory of cases below. Each case is filed in a separate manila container bearing the case number. Containers average 10 x 4½ x 2. Filed with Probate Cases of Brazoria County, 1837-- , C.C., office.

No. 1. Austin, Stephen F., 1823-51. 215 papers in 2 containers.

Examples of these papers are: Stephen F. Austin to James Barnet, Bexar Province, Mexico, March 13, 1822, a receipt for ten doubloons, one English guinea, and two gold pieces (value, one doubloon); Stephen F. Austin to General James Wilkinson, Mexico City, April 6, 1823, an order of exchange for \$250.00; printed acknowledgment of above order subscribed to before Carile Pollock, notary, endorsed by Ja [mes] Wilkinson, addressed to Joseph H. Hawkins [Austin's fiscal agent], New Orleans, July 5, 1823.

No. 1½. Wills, William, 1836. 2 papers in 1 container.

Two notices of probate, November 12, 1836.

No. 2. Adams, Francis, 1787-1837. 65 papers in 1 container.

Receipts for accounts settled, land grants and deeds, claims against estate, notices of probate, inventories, letters testamentary, and other matters relating to the administration of the estate. Examples of these papers are: Coahuila and Texas to Francis Adams, land grant; Stephen F. Austin to Francis Adams, receipt for \$50.00 as payment for title; Estavan Miro to Pierre Dupuy, New Orleans, February 28, 1787, passport.

- No. 4. Anderson, Ephriam, 1820-37. 75 papers in 1 container. Packet of personal letters, land grant from Coahuila and Texas, receipts, vouchers, inventories, letters testamentary, and other matters relating to estate.
- No. 8. Anthony, D. W., 1833-1837. 21 papers in 1 container. Inventories, receipts, claims, letters testamentary, and other matters relating to estate.
- No. 13. Arnold, William, 1833-41. 11 papers in 1 container. Inventories, appraisals, claims, receipts, letters testamentary, and other matters relating to estate.
- No. 14. Austin, John, 1831-41. 75 papers in 1 container. Inventories, claims, appraisals, receipts, vouchers, and other matters relating to estate. Included is a receipt from William Barrett Travis.
- No. 17. Bailey, James B., 1830-52. 75 papers in 2 containers. Inventories, appraisals, letters testamentary, last will and testament, claims, receipts, vouchers, and other matters relating to estate.
- No. 26. Bell, Josiah H., 1833-40. 6 papers in 1 container. Last will and testament, letters testamentary, appraisals and inventories.
- No. 41. Brown, Henry, 1834-37. 41 papers in 1 container. Will, inventories and appraisals, claims, receipts, letters testamentary, and other matters relating to estate.
- No. 42. Bowen, Sylvester, 1834-39. 39 papers in 1 container. Inventories, appraisals, claims, receipts, notes, letters testamentary, and other matters relating to estates.
- No. 89. Council, James S., 1832-38. 100 papers in 1 container. Inventories, appraisals, claims, notes, contracts, land grants, letters testamentary, and other matters relating to estate.
- No. 90. Cox, John S., 1834-37. 16 papers in 1 container. Notice of probate, inventory, claims, receipts and other matters relating to estate.
- No. 130. Darst, Abram, 1834-37. 21 papers in 1 container. Inventories, appraisals, notes, claims, one printed notice of payment for land, (Telegraph print, Columbia), September 12, 1836, letters testamentary, and other matters relating to estate.
- No. 154. Eaton, William J., 1834-50. 210 papers in 2 containers. Will, inventories, appraisals, claims, receipts, vouchers, notes, accounts, letters testamentary, and other matters relating to estate.
- No. 162. Fannin, James W., Jr., 1826-43. 115 papers in 1 container. Inventories, notices of probate, claims, receipts, accounts, vouchers, letters testamentary, and other matters relating to estate. Included are personal letters, one of which is:

Velasco 24th Januy 1836

Mr. Edmund Andrews
or
Robert Mills &co

My friend Capt Bullock is too unwell with measles to go by water--and proceeds by land to Copen--He has spent several hundred dollars in bringing to our aid his company--and is now with [out] resources

I am nearly so--and must ask you or either of you to advance him from twenty to fifty dollars and I will repay it when I get back--and greatly oblige

yr friend &c [etc.]
J W Fannin Jr

No. 175. Graham, John, 1834-37. 16 papers in 1 container.

Notice of probate, inventory, appraisals, claims, receipts, letters testamentary, and other matters relating to estate.

No. 209. Henry, Maurice, 1827-41. 15 papers in 1 container.

Notice of probate, inventory, claims, receipts, letters testamentary.

No. 210. Hawkins, Edmund St. John, 1832-42. 75 papers in 1 container.

Claims, inventories, receipts, letters testamentary, notices of probate, and other matters relating to estate.

No. 220. Harrison, George, 1835-39. 21 papers in 1 container.

Notice of probate, inventory, claims, receipts, letters testamentary.

No. 222 $\frac{1}{2}$. Byrom, John S. D., 1835-46. 47 papers in 1 container.

Inventory, notice of probate, claims, receipts, letters testamentary, and other matters relating to estate.

No. 256. Head, E. G., 1835-46. 135 papers in 1 container.

Will, inventories, appraisals, notices of probate, claims, accounts, receipts, vouchers, letters testamentary, and other matters relating to estate.

No. 274. Jameson, Green B., 1826-39. 95 papers in 1 container.

Notices of probate, inventories, field notes, notices of survey, land grants, claims, accounts, receipts, personal letters, letters testamentary, and other matters relating to estate. Contains verification of Jameson's death at the Alamo, March 6, 1836, as follows:

I certify that Green B. Jameson served in the Army of Texas from the 3rd October 1835 to Sixth of March 1836 at which time he was killed in the Alamo

Certified by Colonel E. Burleson

Houston 6th June 1837
(signed) Wm H Patton

No. 332. May, Samuel, 1830-37. 32 papers in 1 container.

Notice of probate, inventory, claims, receipts, letters testamentary, one land certificate signed by Green DeWitt, April 20, 1830, also certificate of citizenship signed by Green DeWitt.

- No. 334. Millican, Andrew, 1833-42. 50 papers in 1 container.
Notice of probate, inventory, claims, receipts, letters testamentary.
- No. 343. Marshall, Isaac, 1833. 2 papers in 1 container.
Two letters of administration, June 29, 1833.
- No. 346. Martin, Robert, 1832-37. 50 papers in 1 container.
Notice of probate, inventory, appraisal, claims, receipts, letters testamentary, and will.
- No. 349. McCormick, David, 1835-53. 34 papers in 1 container.
Letters testamentary, inventories, vouchers and receipts.
- No. 362. Murphy, Sylvester, 1831-37. 100 papers in 1 container.
Notice of probate, inventories, appraisals, claims, receipts, letters testamentary, and other matters relating to estates.
- No. 376. Parkins, Samuel, 1834. 1 paper in 1 container.
Letter of administration, March 26, 1837.
- No. 377. Price, John, 1832-33. 14 papers in 1 container.
Notice of probate, letters testamentary, inventory and appraisal. Price, Commander of the Sloop Minerva, died of yellow fever at Brazoria, November 17, 1832.
- No. 380. Porter, John M., 1832-1839. 85 papers in 1 container.
Instruments in this container should have been filed with papers of B. A. Porter as they relate to that estate instead of to John M. Porter, who was administrator for B. A. Porter.
- No. 381. Perry, James F., Sr., 1833. 8 papers in 1 container.
Notice of probate, letters of administration, accounts, Notification from clerk of St. Francis County, Missouri, that James F. Perry, Sr. was late a resident of that county.
- No. 399. Porter, B. A., 1834. 7 papers in 1 container.
Notices of probate, letters testamentary, and appraisal.
- No. 406. Richeson, Edwin, 1833-37. 85 papers in 1 container.
Inventories, notices of probate, notices of creditors, accounts, vouchers, claims, letters testamentary, and other matters relating to estate.
- No. 407. Randon, John, 1832-35. 39 papers in 1 container.
Notice of probate, inventory, claims, receipts, and letters testamentary.
- No. 417. Reynolds, Albert G., 1832-58. 115 papers in 1 container.
Inventories, appraisals, accounts, letters testamentary, notice of probate, notices of final settlement. Included is a baptismal certificate, March 26, 1832, signed by Father Michael Muldoon.
- No. 428. Robertson, Edward, 1830-41. 135 papers in 1 container.
Two packets of accounts due estate, one packet of claims, one packet of statements by William T. Austin regarding estate, one packet of vouchers, one packet of papers in the case of Charlotte Robertson, alias Jackson, vs. William T. Austin and Asa Brigham, 39 loose papers including claims, notices of probate, inventories, letters testamentary. Included is a power of

attorney from Charlotte Robertson to William D. Wallach, of Matagorda, to settle all matters relating to estate, given at Washington, D. C., January 14, 1841, subscribed to before Henry Naylor, notary, whose authority is certified by the Department of State, by John Forsyth, January 15, 1840.

No. 438. Sledge, Samuel, 1833-38. 18 papers in 1 container.
Notice of probate, inventory, claims, receipts, and letters testamentary.

No. 440. Strother, [Stroder] Edmund, 1833-51. 14 papers in 1 container.
Notice of probate, inventory, letters testamentary, and notices of final settlement.

No. 447. Pickett, John J., 1833-37. 90 papers in 1 container.
Notice of probate, inventories, appraisals, claims, receipts, accounts, vouchers, letters testamentary, and other matters relating to estate.

No. 456. Smith, George, 1834-35. 5 papers in 1 container.
Inventory, claims, and letters testamentary.

No. 457. Sampier, Joseph, 1833-37. 3 papers in 1 container.
Notice of probate, inventory, and letter of administration.

No. 458. Slayton, Robert G., 1836-41. 3 papers in 1 container.
Notice of probate, letters testamentary, and notice of final settlement.

No. 464. Strowder [Strother, Stroder], Jesse, 1836-47. 16 papers in 1 container.
Notice of probate, inventory, letters testamentary, appraisals. A land grant of one third league of land to Robert Scoby, relinquished to the heirs of Jesse Strother, Austin, Texas, December 16, 1847, signed by Governor J. Pinckney Henderson.

No. 472. Stratton, Horace B., 1835-51. 5 papers in 1 container.
Notice of probate, inventory, letters of administration, and notice of final settlement.

No. 490. Scott, Captain William P., 1835-42. 175 papers in 1 container.
Notice of probate, claims, accounts, vouchers, letters testamentary, appraisals, private letters, survey field notes, and other matters relating to estate.

No. 492. Sawyer, Samuel, 1831-55. 115 papers in 1 container.
Notices of probate, letters testamentary, inventories, appraisals, accounts, claims, receipts, and other matters relating to estate.

No. 504. Wilson, Thomas, 1835-48. 27 papers in 1 container.
Inventory, appraisal, notice of probate, will, accounts and vouchers.

No. 506. Woodson, James M., 1834-38. 10 papers in 1 container.
Notice of probate, letters testamentary, inventory, notice of final settlement.

No. 531. Wallis, John G. [John Y. Wallace], 1835-37. 25 papers in 1 container.
Inventories, appraisals, last will and testament [signed John Y. Wallace], accounts, and vouchers.

No. 547. Turner, James, 1833-50. 35 papers in 1 container.
Notice of probate, letters testamentary, inventories, claims, receipts, and notices of final settlement.

No. 555. Vince, Jesse, 1827-37. 27 papers in 1 container.
Notice of probate accounts and appraisals, notice of final settlement, letters testamentary.

No. 612. Lindsey, Lewis, 1831-69. 23 papers in 1 container.
Notice of probate, inventory, claims, receipts, letters testamentary, and notice of final settlement.

No. 649. Travis, William Barrett, 1838-39. 4 papers in 1 container.
Notices of probate.

No. 682. Westall, James M., 1825-52. 225 papers in 2 containers.
Notice of probate, will, inventories, claims, receipts, accounts, notices to creditors, vouchers, notes, letters testamentary, and other matters relating to estate.

The following list of estates gives reference to case number.

Estate

Adams, Francis	2	Parkins, Samuel	376
Anderson, Ephriam	4	Perry, James F., Sr.	381
Anthony, D. W.	8	Pickett, John J.	447
Arnold, William	13	Porter, B. A.	399
Austin, John	14	Porter, John M.	380
Austin, Stephen F.	1	Price, John	377
Bailey, James B.	17	Randon, John	407
Bell, Josiah H.	26	Reynolds, Albert G.	417
Bowen, Sylvester	42	Richeson, Edwin	406
Brown, Henry	41	Robertson, Edward	428
Byrom, John S. D.	222 $\frac{1}{2}$	Sampier, Joseph	457
Council, James S.	89	Sawyer, Samuel	492
Cox, John S.	90	Scott, Captain William P.	490
Darst, Abram	130	Slayton, Robert G.	458
Eaton, William J.	154	Sledge, Samuel	438
Fannin, James W., Jr.	162	Smith, George	456
Graham, John	175	Stratton, Horace B.	472
Harrison George	220	Strother (Stroder), Edmund	440
Hawkins, Edmund St. John	210	Strowder (Strother, Stroder)	
Head, E. G.	256	Jesse	464
Henry, Maurice	209	Travis, William Barrett	649
Jameson, Green B.	274	Turner, James	547
Lindsey, Lewis	612	Vince, Jesse	555
McCormick, David	349	Wallis, John G.	
Marshall, Isaac	343	(Wallace, John Y.)	531
Martin, Robert	346	Westall, James M.	682
May Samuel	332	Wills, William	1 $\frac{1}{2}$
Millican, Andrew	334	Wilson, Thomas	504
Murphy, Sylvester	362	Woodson, James M.	506

5. ESTATE OF DOCTOR JAMES (DIEGO) GRANT, 1833-36. 87 instruments in 1 packet.

Original papers relating to the estate of and to accounts held by Dr. Grant in Texas, Mexico, the United States, and England. The correspondence includes inquiries to and from Mexican officers at Monclova, Monterrey, Bexar, and Mexico City. Included are inventories of property, papers relating to the Hacienda de los Hornos, accounts due and against Dr. Grant, a copy of his will, and orders in settlement of accounts. The signature of Dr. Grant appears both as James and Diego, taking the Spanish equivalent whenever addressing Mexican authorities. These papers are given individual treatment in this Inventory because of the importance of the transactions of Dr. Grant and because they are not filed with other probate papers. Wrapped and marked Estate of Dr. James (Diego) Grant, filed in file box marked Old Papers, No. 1. No arr. No index. 10 $\frac{1}{2}$ x 4 x 4 $\frac{1}{2}$. C.C., office.

As an example of the papers found, one instrument in Spanish with an English translation follows:

Sello Tercero
Para el Bienio de 1834 y 1835
Dos Reales

Por el presente me obligo en toda forma de derecho a entregar en la Hacienda de los Hornos a los Srs. Guarlay y Jewett de comercio Matamoros en la proxima cosecha la cantidad de trigo que sea suficiente para cubrir el importe de las cantidades que resulten en mi contra y la de Hugo Grant por mi cuenta corriente y costos de flete de maquinas verificada que sea la liquidacion correspondiente que se practicara entre mi encargado D. Daniel J. Tolar y D. Diego Jewett cualesquiera otro agente de la casa dicha. El espresado trigo sera entregado de toda preferencia hasta cubrir la suma que resulto en mi contra, y se me abonar [a] al precio liquido con solo la deducion de fletes y demas gastos a que se expenda en Matamoros. Y como para asegurar el pago de dichas cantidades hipoteco formalmente la cosecha de trigo de los Hornos actualmente en las semesteras, quedan por lo mismo libres de todo gravamen y responsabilidad las maquinas y demas bienes del otorgante y Hugo Grant. Y para que todo lo contenido en este documento tenga el mas ecsacto cumplimiento en todas sus partes firmo conmigo las de un tenor el Sor. Jewett y los testigos Ciudadanos Juan Jose Delgado, Leon R. Almy, y Jose Maria Mier en Monclova a dos de abril de mil ocho cientos treinta y cinco anos.

(firmas)

Diego Grant

Juan Jose Delgado

Leon R. Almy

(es copia)

Diego Jewett

Jose Ma. Mier

Third Seal
for the Biennium of 1834 and 1835
Two Reales

By the present [instrument] I oblige myself in every form of law to deliver at the next harvest on the Hornos Hacienda, to Messrs. Guarlay and Jewett of a Matamoros business [firm] a sufficient quantity

of wheat to cover the duty and freight cost of machines against my account and Hugo Grant's, as soon as they are liquidated by my agent Dan J. Tolar through Diego Jewett and any other agent of said house. The above mentioned wheat will be delivered with all preference until the amount resulting against me is covered and I am to be refunded according to the price of liquidation less only the deduction of freight and the other expenses incurred in Matamoros. And since to insure the payment of said amount I formally mortgage the wheat crop of Hornos, now being planted, the machines and other goods of the grantor and Hugo Grant are free of all liability. And in order that all contained in this document may have the most exact fulfilment in all its parts, Mr. Jewett and witnesses, citizens Juan Jose Delgado, Leon R. Almy, and Jose Maria Mier, have signed to the same effect with me in Monclova the second of April, 1835.

(signatures)

Diego Grant

Juan Jose Delgado

Leon R. Almy

(this is a copy)

Diego Jewett

Jose Ma. Mier

IV. COURT RECORDS

6. DOCKET FOR THE PRECINCT OF VICTORIA, MUNICIPALITY OF AUSTIN, 1832-33. 1 vol.

Docket of cases tried before Asa Brigham, comisario of the Precinct of Victoria, Municipality of Austin, from February 1, 1832, to January 1, 1833. Shows name of plaintiff, name of defendant, number of case, recapitulation of fees assessed in case, brief of proceedings, orders of court, and date of orders. Arr. chron. by date of trial. Alph. index by name of plaintiff with reference to page no. 101 pp. 14 x 8 x $\frac{3}{4}$. D.C., office.

The following is the full text of a criminal case (pp. 58-59, 68):

Personally come and appeared before me Asa Brigham Comisario, J. Piedras and entered Complaint against a negroe man named William Chephas---said Piedras stated that about fifty dollars had been stolen from him, from on board the Schooner Comet, and he had every reason to believe that the said William was the thief, and wished him apprehended.

Asa Brigham

Comisario

Brazoria Sept 8th 1832

State of Coahuila & Texas

vs

William Chephas

To Edwin Richeson You are hereby required to apprehend and take into custody a negro man called William Chephas to answer the complaint of J. Piedras and bring him forthwith before me. In this you will fail not and in case you may want assistance to put this order into execution you may

require the aid of any number of good Citizens of this Precinct that might be necessary Given under my hand this 8th of Sept 1832.

Asa Brigham
Comisario

State of Coahuila & Texas

vs

William Chephas

The prisoner in this case being brought into court by the proper Officer, the Comisario appointed a Jury of three Viz. A. Calvit, John W. Cloud and S. G. McNeel three good Citizens of this Precinct who after hearing all the Testimony do say on their oaths that in their opinion the prisoner was guilty of the Charge, the Comisario therefore ordered him held by the proper officer and required that the aforesaid jury should see that proper means was used to obtain the money stolen, which was promptly attended to and prisoner was returned to the Comisario together with Twenty six dollars thirty seven cents of the money stolen, the Comisario considered it necessary that two persons should be added to the former jury, viz J. H. Bell and C. G. Cox two good citizens of the precinct who being placed on their oaths, do say as follows,

We the Jury find the prisoner guilty as in manner and form Indicated and also say that he is personally accountable for all expenses and defiensency of amt. Stolen. and that the Comisario has the right of disposing of said defendant until such costs and charges are paid. A. Calvit, J. H. Bell, S. G. McNeel, C. G. Cox & J. W. Cloud Paid over to Col. Piedras \$26.37

Asa Brigham
Comisario

Brazoria 8th Sept 1832

State of Coahuila & Texas

Vs

William Chephas

Y
Y
Y

To Edwin Richeson
You are hereby authorized
to advertise and sell at
Public Auction, the time
of the Prisoner William

Chephas a man of couler (who calls himself free) as will make the sum of twenty four dollars sixty two cents. In this you will fail not, and make return to me of your proceedings on the 13th day of the present month. Given under my hand this 9th day of Sept 1832

Asa Brigham
Comisario

Executed the above order by selling at Public sale the time of the said William Chephas, from this date to the last day of December next, at the rate of seven dollars per month to Edmund Andrews

Brazoria Sept 13 1832 Asa Brigham Edwin Richeson
Comisario

Recd of E. Andrews \$7.00 [Notation on side of page]

State of Coahuila and Texas
vs
William Chephas

Mr. Brigham

Dear Sir

They have come and taken William which I hired of you from me and this is to serve as information that I no longer hold myself as responsible for the delivery of him nor for the payment of the note. I wish to see you on the subject.

Yours

Edmund Andrews

Oct 19th 1832

On receiving this note I made immediate enquiry and was informed that Thomas Bradley then acting as Sheriff had taken said William--on inquiring of said Bradley by what authority he took the negroe he replied that John Austin (then acting as Second Constitutional Alcalde) has given him the order

Brazoria Oct 20th 1832

The following direct index by name of plaintiff to page number in the Docket for the Precinct of Victoria, Municipality of Austin, has been copied from the original index in the volume.

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Alcorn, T.J. vs. T.J. Hall	93	Bailey by S.F. Angier vs.	
Anderson, M. vs. B.A. Porter		Ross and Hodge	22
and John S. Moore	17	Barney, Jabez vs. Francis Smith	25
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Kanaday	71, 86	Sylvester Bowen, and E. E.	
Andrews E. vs. Mrs. A.C.		Robertson for Austin, vs.	
Williams	79	Spencer Pugh	32
Andrews, Isabella M. vs.		Biggam, F. vs. G.S. Harralson	95
J.S. Council	21	Biggam, F. vs. S. Marsh	26
Angier, S.F. for Bailey vs.		Biggam, F. vs. D. Shelby	27
Ross and Hodge	22	Bowen, Sylvester vs. Wm. Barrett	33
Austin by C.B. Stewart, Brown		Bowen, S. vs. A.L. Burnap	60
and Bennett, Sylvester Bowen,		Bowen, S. vs. J. Crane	7
and E. E. Robertson vs.		Bowen, S., Brown and Bennett,	
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Robertson vs. Thomas Hushing	12	Robertson for Austin, vs.	
Austin and McKinstry vs.		Spencer Pugh	32
J. Tomlinson	42	Brown for Waller vs. A.L. Burnap	65
Austin, W.T. vs.		Brown, J. vs. B.A. Porter	11
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Byrom, J.S.D. vs. Caple and Pitts	68	McKinstry and Austin vs. J. Tomilinson	42
Byrom, J.S.D. vs. Schooner <u>Exert</u> and Owners	54	Marsh, Shubael vs. J.S. Council	29
Byrom, J.S.D. vs. William Gibson	72	Marsh, S. vs. William Harris	45
Byrom, J.S.D. and Byrom by Edmund Jeffery vs. W.T. Austin	99	Martin, E.H. vs. C.A. Betner	69
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Craft, S., W. Brown, and C.B. Stewart vs. R. Lawrence	61	Nixon and Sayre vs. James Tomilinson	92
Dougherty, J. vs. Isaac Jameson	44	Pharr, Samuel vs. Kanaday	45
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Green, P. vs. Thomas Wilson	20	Pilgrim, T.J. vs. Joseph Mims	11
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Hensley, W. and Hensley by Thomas Gay vs. B.A. Porter	84	Roberts, A. vs. R. Lawrence	14
Higgins, James vs. Henry Jones	38	Robertson, Mrs. C. vs. Mrs. N. Gorbet	91
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Jeffery, Edmund for Byrom and J.S.D. Byrom vs. W.T. Austin	99	Robertson, E.E., C.B. Stewart, Brown and Bennett, and Sylvester Bowen for Austin vs. Spencer Pugh	32
Jeffery, Edmund vs. F. Robinson	77	Sayre and Nixon vs. S. May	49
Klome, Henry vs. J. Tomilinson	9	Sayre and Nixon vs. J. Phillisohn	46
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		Stewart, C.B. vs. A. Roberts	20

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		Waller, E. vs. S. Marsh	67
		Waller, E. vs. J.S. Martin	21
		Williams and Lesassier vs. Milton and E. Anderson	75
		Williams, S.M. vs. E. Robertson	30
		Young, Samuel vs. H.S. Brown	18

The following reverse index by name of defendant to page number in Docket for the Precinct of Victoria, Municipality of Austin, has been prepared by the Historical Records Survey.

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Brenan, T. vs. A. Roberts	53	Harris, A. vs. J. Austin	28
Brenan, T.H. vs. T.H. Bradley	52	Harris, A. vs. Phelps	81
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7. FILE DOCKET, 1834-35. 1 vol.

Docket of cases filed in the Jurisdiction of Brazoria. This docket served the purpose of a file docket and fee book. The cases are arranged without number or date. The only notation by case is the amount of fees for docketing. This book was used as a fee book by the county clerk, 1844-47. Forty pages are devoted to cases filed in the Jurisdiction of Brazoria. Arrangement appears to be by order of filing. The cases appear in the same order as the docket containing the proceedings of the cases, Docket, Jurisdiction of Brazoria, 8. No index. 120 pp. 18 x 6 x 1. C.C., office.

8. DOCKET, JURISDICTION OF BRAZORIA, 1834-35. 1 vol.

Docket of the alcalde court of the Jurisdiction of Brazoria, showing the cases tried by or brought before Alcalde Edwin Waller. This docket is similar to a modern justice of peace docket, showing name of plaintiff, name of defendant, names of attorneys, recapitulation of fees, brief of proceedings in case, date of execution, date execution returnable, and other notations. The usual amounts of fees charged in the cases were: for filing paper 30¢, issuing notice 35½¢, issuing alias 35¢, filing petition 50¢, issuing order 50¢, issuing certificate 50¢, recording judgment 75¢, issuing order of judgment 75¢, serving executions from 62½¢ to \$8.00. Arr. numer. by case no. No index. 200 pp. (166 used) 10 x 8 x 1½. C.C., office.

The following are the entries by case number, which corresponds to page number in volume.

- No. 1. Edmund St. John Hawkins vs. Peter M. Hews. Notice of suit issued February 6, 1834.
- No. 2. J. A. H. Cleveland vs. William T. Austin. New trial granted in action on account for \$60.00, February 6, 1834.
- No. 3. P. R. and Ann D. W. Splane vs. three creditors (not named). Notice of suit issued February 12, 1834.
- No. 4. Howth and Stevinson vs. Napoleon D. Williams. Notice of continuation issued February 12, 1834.
- No. 5. William H. Patton vs. Pleasant Bell. Notice of suit issued February 5, 1834. Action on note for \$26.45 submitted to arbitrators Elijah Caple and Jacob Betts. Judgment in favor of plaintiff.
- No. 6. William H. Patton, administrator for Isaac Marshall, vs. Zeno Phillips. Action on note for \$81.50 submitted to arbitrators W. H. Settle and Edmund Daniels. Judgment in favor of plaintiff, February 6, 1834.
- No. 7. William H. Patton, administrator for Isaac Marshall, vs. George Tennel. Notice of suit issued February 6, 1834.
- No. 8. William H. Patton, administrator for Isaac Marshall, vs. William J. Russell, submitted to arbitrators Jacob Betts and Elijah Caple, judgment in favor of plaintiff for amount of note, \$22.25.
- No. 9. William H. Patton, administrator for Isaac Marshall, vs. William J. Russell. Judgment against defendant for \$11.50 and costs.
- No. 10. Susan Breedlove vs. John Thomas. Notice of suit issued on account of \$5.00, February 6, 1834.
- No. 11. E. Jeffery vs. D. W. Anthony, T. F. L. Parrott, and E. St. John Hawkins. Action submitted to arbitrators John W. Cloud and Edmund Daniels. Judgment in favor of plaintiff, March 6, 1834.
- No. 12. E. Jeffery vs. William Fream, William Dailey, and E. St. John Hawkins. Action on note for \$23.34 submitted to arbitrators William H. Little and Edmund Daniels. Judgment in favor of plaintiff, March 6, 1834.
- No. 13. J. T. Harrell vs. William T. Austin. Notice of suit issued. Action on note for \$11.00 dismissed by plaintiff, March 6, 1834.
- No. 14. Henry Smith, executor for J. B. Bailey, vs. Sylvester Bowen, and Joseph Polley. Judgment in favor of defendant for \$27.50, March 6, 1834.
- No. 15. Henry Smith, executor for J. B. Bailey, vs. (not named). Action in suit for \$152.50. Certificate granted and notice waived. Parties to appear April 28, 1834.

- No. 16. Henry Smith, executor for J. B. Bailey, vs. Elijah Caple and Sylvester Bowen. Action submitted to arbitrators William H. Little and Edmund Daniels. Judgment against defendant for \$16.25, March 6, 1834.
- No. 17. Henry Smith, executor for J. B. Bailey, vs. William J. Russell and Sylvester Bowen. Action submitted to arbitrators Allen Larrison and Elijah Caple. Compromise, defendant receiving \$7.25 from plaintiff, March 6, 1834.
- No. 18. Henry Smith, executor for J. B. Bailey, vs. David Shelby and Gerren Hinds. Defendant appeared and settled account, February 22, 1834.
- No. 19. Henry Smith, executor for J. B. Bailey, vs. Peyton R. Splane, William T. Austin, and Elizabeth Lippencott, representatives of John Austin. Submitted to arbitrators William H. Little and Edmund Daniels. Judgment against defendant for \$57.25, March 4, 1834.
- No. 20. Edwin Waller vs. John Thomas. Notice to appear for settlement of note for \$70.00, February 24, 1834.
- No. 21. William Stafford vs. Jacob Betts. Notice issued to make amicable settlement for \$150.00 note, February 7, 1834. Parties failed to appear; alias issued March 12, 1834.
- No. 22. Edwin Waller vs. Robert D. Moore, W. E. Howth, and F. I. Calvit. Notice issued, February 7, 1834, for parties to appear to effect amicable settlement, February 24, 1834.
- No. 23. Edwin Waller vs. Milton Anderson, F. I. Calvit, and Peyton R. Splane. Notice issued on joint note for \$462.50, March 10, 1834.
- No. 24. Henry Smith, executor for J. B. Bailey, vs. Valentine Bennett and Peyton R. Splane. Submitted to arbitrators William H. Little and Edmund Daniels. Judgment in favor of plaintiff for \$64.25 and interest.
- No. 25. Henry Smith, executor for J. B. Bailey, vs. William H. Lee and Joseph Polley. Submitted to arbitrators William H. Little and Edmund Brown. Judgment in favor of plaintiff for \$17.65 and interest, March 6, 1834.
- No. 26. Samuel Hoit vs. Solomon Williams. Defendant sent written authority to have alcalde enter judgment against him, February 8, 1834. Alias issued January 26, 1835.
- No. 27. A. G. and R. Mills vs. James Moore and Joseph Mims. Submitted to arbitrators. Judgment in favor of plaintiff for \$44.01 and interest; execution issued March 17, 1834.
- No. 28. T. F. L. Parrott vs. L. C. Manson. Attorney for defendant agreed that judgment be rendered for \$42.50 and interest. Execution issued April 9, 1834. New execution issued January 30, 1835.
- No. 29. E. Anderson vs. Caleb Kemp. Submitted to arbitrators. Judgment in favor of plaintiff for \$25.00 and interest. Execution issued April 23, 1834.

No. 30. Jonathan C. Peyton vs. Alvan Wetherbay. Judgment by court against defendant for \$9.69, March 6, 1834.

No. 31. J. T. Tinsley vs. William B. and John Sweeney and David McCormick. Brief of case submitted to court. Judgment in favor of plaintiff for \$349.43 $\frac{3}{4}$ and interest. Execution issued September 11, 1834. New execution issued by W. H. Sledge, secretary, June 30, 1835. A notation states that satisfaction was received of A. G. and R. Mills, signed by John A. Wharton.

No. 32. George Robinson vs. Ephriam Anderson. Defendant came into court and confessed judgment February 20, 1834. Execution issued March 17, 1834.

No. 33. Succession of M. Henry vs. William B. Sweeney. Submitted to court. Judgment issued in favor of plaintiff for \$600.00 and interest. Certificate of record issued January 24, 1834. John A. Wharton, attorney for plaintiff, certified that satisfaction was had from A. G. and R. Mills.

No. 34. Howth and Stevinson vs. Joseph Rees, executor for Christopher G. Cox, and Charles D. Sayre. Submitted to arbitrators William T. Austin and Thomas R. Erwin. Judgment in favor of plaintiff for \$45.00 and interest, March 6, 1834. Execution issued March 17, 1834.

No. 35. Howth and Stevinson vs. Joseph Rees. Default judgment for \$23.00 and interest. Execution issued September 23, 1834.

No. 36. George B. McKinstry, holder of note to McKinstry and Austin, vs. Samuel Young. Defendant appeared and confessed judgment for \$299.48 and interest. Notation shows credit for \$138.00 on account by C. B. Stewart, administrator for Samuel Young, March 20, 1837.

No. 37. J. S. D. Byrom, holder of note to McKinstry and Austin, vs. Samuel Young. Defendant appeared and confessed judgment for \$325.15 and interest, March 24, 1834. Notation states Young paid \$210.30. \$104.50 was allowed Byrom's order, and C. B. Stewart paid \$98.50 cash.

No. 38. Howth and Stevinson vs. Milton Hicks. Submitted to arbitrators William T. Austin and Thomas R. Erwin. Judgment in favor of plaintiff for \$81.00 and interest. Execution issued March 17, 1834.

No. 39. Howth and Stevinson vs. Thomas Cayce. Submitted to arbitrators William T. Austin and Thomas R. Erwin. Judgment in favor of defendant for \$46.00 and interest. Execution issued March 8, 1834.

No. 40. Howth and Stevinson vs. John D. Newell. Case before Edwin Waller, alcalde, not tried; plaintiff assumed costs.

No. 41. Howth and Stevinson vs. Haley and Carson. Submitted to arbitrators William T. Austin and Thomas R. Erwin. Judgment in favor of plaintiff for \$100.33 and interest. Execution issued March 17, 1834. Execution renewed for 60 days, September, 1834. Alias issued April 5, 1835.

No. 42. Howth and Stevinson vs. William H. Carson. Submitted to arbitrators William T. Austin and Thomas R. Erwin. Judgment in favor of plaintiff for \$30.00 and interest. Execution issued March 17, 1834. Execution renewed for 60 days. Alias issued April 5, 1835.

No. 43. Howth and Stevinson vs. Sylvester Bowen. Submitted to arbitrators William T. Austin and Thomas R. Erwin. Judgment in favor of plaintiff for \$22.06 and interest. Execution issued September 23, 1834. Execution renewed January 30, 1835.

No. 44. Howth and Stevinson vs. Thomas M. Blake. Case called for action on note for \$58.00, February 12, 1834, but notice had not been served.

No. 45. Jonathan C. Peyton, administrator for George Smith, vs. Phineas Smith and Asa Brigham. Notice issued February 25, 1834; returnable March 14, 1834. Petition filed April 8, 1834. New notice issued March 14, 1835.

No. 46. Wyly Martin vs. John A. Wharton, agent and curator for John M. Porter and Pamilia Porter, administrators for B. A. Porter, and George Tennel. Judgment in favor of plaintiff for \$281.25 and interest. Execution issued September 11, 1834. New execution issued by W. H. Sledge, secretary, January 30, 1835.

No. 47. George Huff, administrator for S. Sawyer, vs. Samuel Damon. Submitted to arbitrators Charles D. Sayre and Edmund Andrews. Judgment in favor of plaintiff for \$40.44 and interest. R. Hodge agreed to pay cost if Samuel Damon did not satisfy judgment by July 1, 1834. Arrangement agreed to by John A. Wharton, for plaintiff, and Samuel Damon. Signed by R. Hodge, February 25, 1834.

No. 48. William T. Austin vs. Francis Moore. Defendant appeared and confessed judgment for \$35.00 and interest, February 24, 1834. Attached to page are two papers: William T. Austin instructs Edwin Waller, alcalde, to pay to J. McNeel judgment on docket against F. Moore, June 14, 1834; William T. Austin gives receipt to F. Moore for \$9.50 on judgment.

No. 49. William T. Austin vs. William J. Russell, J. G. McNeel, administrator for James Westall and Charles A. Betner. Notice issued February 15, 1834; new notice issued March 19, 1834.

No. 50. William T. Austin vs. William J. Russell. Defendant appeared and confessed judgment for \$200.00 and interest, February 15, 1834. Notation states that entire sum was paid to Edwin Waller, alcalde.

No. 51. Ira Ingram vs. C. G. Cox and Joseph Rees. Submitted to arbitrators Robert Hodge and Elijah Caple. Judgment in favor of plaintiff for \$26.50 and interest. Execution issued October 22, 1834; new execution issued January 20, 1835, by W. H. Sledge, secretary.

No. 52. E. R. Wightman vs. William T. Austin and Elizabeth E. Parrott, administrator for John Austin. Submitted to arbitrators John Chaffin and Elijah Caple. Judgment against plaintiff, and costs assessed plaintiff, March 24, 1834.

No. 53. E. R. Wightman vs. Thomas B. Bell. Notice issued February 15, 1834; continued at March term, by common consent, until May 17, 1834.

No. 54. S. F. Austin vs. P. R. Splane. Continuance granted defendant. Notice issued February 15, 1834.

- No. 55. William H. Patton, administrator for Isaac Marshall, vs. John Sweeney. Submitted to arbitrators Elijah Caple and Jacob Betts. Judgment in favor of defendant for \$29.80 and interest. Execution issued April 4, 1834.
- No. 56. William H. Patton, administrator for Isaac Marshall, vs. Sally Kanaday. Notice issued February 15, 1834. Continuance granted defendant.
- No. 57. E. R. Wightman vs. Joseph Rees, executor for C. G. Cox. Notice issued February 15, 1834. Continuance granted defendant.
- No. 58. Catharine Carson vs. Thomas Cayce. Notice issued February 17, 1834. Defendant appeared and paid debt, \$15.25.
- No. 59. John Chaffin vs. Thomas Cayce. Case dismissed at cost to plaintiff. Notice issued February 17, 1834.
- No. 60. Edmund Jeffery vs. John Thomas. Suit dismissed by plaintiff, who assumed costs. Notice issued February 17, 1834.
- No. 61. A. G. and R. Mills vs. Samuel Young. Submitted to arbitrators William H. Jack and William H. Little. Judgment in favor of plaintiff for \$17.80 and interest. Judgment paid by John Chaffin, October 1, 1834.
- No. 62. Lyons and Company by A. G. and R. Mills vs. William Harris. Submitted to arbitrators Elijah Caple and Shubael Marsh. Judgment in favor of plaintiff for \$37.50 and interest. Execution issued April 19, 1834; renewed September 8, 1834; new execution issued by W. H. Sledge, secretary.
- No. 63. A. G. and R. Mills vs. William Harris. Submitted to arbitrators Shubael Marsh and Elijah Caple. Judgment in favor of plaintiff for \$41.76 and interest. Execution issued April 19, 1834; renewed September 8, 1834; new execution issued January 30, 1835, by W. H. Sledge, secretary.
- No. 64. Margaret Jameson, administrator for Isaac Jameson, vs. P. R. Splane. Judgment by court in favor of plaintiff for \$286.50 and interest. Execution issued February 23, 1835, by W. H. Sledge, secretary.
- No. 65. Edmund Daniels vs. Thomas Cayce. Defendant appeared and paid \$43.00, amount of claim. Notice issued, February 24, 1834.
- No. 66. Edmund Daniels vs. Joseph Rees. Judgment against defendant for \$4.50; paid to Edwin Waller, alcalde, and received by Edmund Daniels. Notice issued February 18, 1834.
- No. 67. T. F. L. Parrott vs. A. Williams. Submitted to arbitrators William B. Travis and H. H. League. The difference between the two notes submitted in the case, \$12.50, was awarded defendant. Execution issued March 17, 1834; returned satisfied April 1, 1834.
- No. 68. A. G. and R. Mills vs. Robert D. Moore. Defendant appeared and confessed judgment for \$179.64 and interest. New execution issued March 16, 1835.

No. 69. T. F. L. Parrott vs. J. G. McNeel, administrator for James M. Westall. Case continued by common consent. Notice issued February 20, 1834.

No. 70. T. F. L. Parrott vs. Ephriam Anderson and Milton Anderson. Defendant appeared and confessed judgment for \$4.50. Notice issued February 20, 1834.

No. 71. James Young vs. R. H. W. Reel. Judgment by default for \$50.00. Execution issued September 29, 1834; new execution issued February 2, 1835.

No. 72. Howth and Williams vs. Robert Dillon Moore. Defendant appeared without process, and confessed judgment for \$211.82 and interest, February 21, 1834. New execution issued March 16, 1835.

No. 72¹/₂. McNeel and Woodson vs. Robert D. Moore. Defendant appeared without process, and confessed judgment for \$172.09 and interest, February 22, 1834. New execution issued March 16, 1835.

No. 73. Edmund Jeffery vs. Ephriam Anderson and Milton Anderson. Submitted to arbitrators Robert Stevenson and Charles A. Betner. Judgment in favor of plaintiff for \$20.22 and interest, March 20, 1834.

No. 74. Edmund Jeffery vs. G. M. Collinsworth, agent for William H. Rutherford and Company. Submitted to arbitrators R. H. W. Reel and William Dailey. Judgment in favor of plaintiff for \$35.75 and interest.

No. 75. George B. McKinstry vs. William H. Jack, curator and defender of Benjamin F. Smith. Certificate granted February 25, 1834; continued until March term, 1834.

No. 76. Robert Vince vs. P. R. Bartleson. Line drawn across names of parties. Notice issued February 24, 1834.

No. 77. James M. Westall vs. Asa Mitchell. Submitted to arbitrators Charles B. Stewart and J. S. D. Byrom. Judgment in favor of defendant for court costs since arbitrators deemed notes in case still property of J. Austin or McKinstry and Austin.

No. 78. Robert Vince vs. P. R. Bartleson, I. G. Wright. Attorney for defendant confessed judgment for \$66.67 and interest, February 25, 1834.

No. 79. Shubael Marsh for himself and the heirs of Obidiah Pitts vs. Henry Smith, testamentary executor for Obidiah Pitts. Plaintiff alleged that the will of Obidiah Pitts was void because there were not as many witnesses to it as the law required, and because Pitts and Polly Abernathy were never legally married. The facts showed that the will was made before a notary in the presence of two witnesses, one of which was incompetent. The law required three witnesses if a will was made before a notary, or five witnesses if no notary was available. Although the will stated that only two witnesses were available at the house, it was ruled that it did not follow that no more could have been obtained. The court held the will void, and ordered the estate of Obidiah Pitts administered as the law required.

- No. 80. The People of the Jurisdiction of Brazoria vs. Ruben P. T. Stone. Notice was issued to summon 48 men, from which 12 were to be selected to try defendant. Summons were issued for 14 witnesses, and case was submitted to 12 freemen. Defendant was found guilty, and sentenced to have 39 lashes applied to his bare back, the letter M branded in his hand, and to leave the colony within ten days or be considered an outlaw, April, 1834.
- No. 81. A. G. and R. Mills vs. Henry Williams and Solomon Williams. No other entries. Notice issued March 3, 1834; returnable March 24, 1834.
- No. 82. Edmund St. John Hawkins vs. Charles Cavenah. Plaintiff appeared and dismissed action, assuming costs, March 3, 1834.
- No. 83. Jacob Shannon vs. H. H. League and Peter R. Bartleson. Submitted to arbitrators Gowin Harris and Thomas Chadwin. Judgment against defendants, court costs to be assessed against defendants, March 5, 1834.
- No. 84. H. H. League vs. Samuel Wildy. Submitted to arbitrators Gowin Harris and Benjamin F. Smith. Judgment against plaintiff, court costs to be assessed against plaintiff.
- No. 85. John A. Wharton, for R. P. T. Stone, vs. S. Vandivers and O. H. Spencer as garnisher. Spencer appeared and confessed judgment for \$175.00 to cover demand of plaintiff and court costs, March 8, 1834.
- No. 86. Succession of John McCroskey vs. Joseph Rees, curator for C. G. Cox, deceased. Judgment in favor of plaintiff for \$689.56 and interest on \$897.38 from date, and interest on \$796.56 from March 12, 1834. Execution issued March 12, 1834; renewed September 8, 1834. Notation states that satisfaction was entered on execution. Date of judgment destroyed.
- No. 87. William H. Carson vs. Peter Powell. Judgment in favor of plaintiff. Orders issued to J. D. Newell to answer questions in case. Newell stated that he was indebted to Powell for \$10.00. Judge ordered this \$10.00 paid to William H. Carson to satisfy judgment, March 12, 1834.
- No. 88. Haley and Carson vs. James Tinsley. Submitted to arbitrators R. H. W. Reel and Robert Coldron. Judgment in favor of plaintiff for \$9.81.
- No. 89. John Talbot vs. William Harris. No other entries. Notice issued March 12, returnable March 24, 1834.
- No. 90. Henry S. Brown vs. Margaret Jameson. Submitted to arbitrators George Huff and H. Stratton. Judgment in favor of plaintiff for \$84.00 and interest. Execution issued October 22, 1834; new execution issued by W. H. Sledge, January 30, 1835.
- No. 91. John James, administrator of E. D. Shoon, vs. Zeno Phillips. Certificate granted at March term.
- No. 92. Edmund Jeffery, holder of note payable to J. S. D. Byrom, vs. M. W. Smith. Judgment in favor of plaintiff for \$200.00 and interest. Execution issued September 8, 1834; new execution issued by W. H. Sledge, date torn.

No. 93. Edmund Jeffery vs. M. W. Smith. Submitted to arbitrators A. G. Mills and G. B. Jameson. Judgment in favor of plaintiff for \$39.50 and interest. Execution issued April 16, 1834; new execution issued by W. H. Sledge, January 30, 1835.

No. 94. E. W. Gregory vs. William T. Austin, surviving partner of Reynolds and Austin. Defendant appeared and confessed judgment for \$2,524.10 and interest, March 18, 1834.

No. 95. S. F. Austin, executor for James F. Perry, vs. Francis Moore. No other entries. Notice issued March 18, 1834, returnable March 25, 1834.

No. 96. Patrick Green vs. Mrs. M. Jameson. Judgment in favor of plaintiff for \$10.12½. Execution issued October 22, 1834.

No. 97. Edmund Jeffery vs. Peyton R. Splane. Submitted to arbitrators R. H. W. Reel and H. B. Stratton. Judgment in favor of plaintiff for \$60.00 for rent, \$28.42 on note, March 26, 1834. New execution issued January 31, 1835. Warren D. C. Hall became security on judgment, March 28, 1834.

No. 98. Sylvester Bowen vs. Peyton R. Splane. Notice issued March 18, 1834.

No. 99. Jesse Thompson vs. Peyton R. Splane. Notice issued March 18, 1834.

No. 100. Administrators of John Austin vs. Solomon Williams. Continuance granted defendant. Notice issued March 28.

No. 101. Polly (Mary) Bailey, administrator of Smith Bailey, vs. William J. Russell. Submitted to arbitrators A. Robertson and John Chaffin. Judgment in favor of plaintiff for \$46.52 and interest. Execution issued September 22, 1834. Injunction awarded to stay defendant, September 25, 1834. On trial of injunction, defendant was granted \$23.50. Signed by S. Dinsmore, primary judge, April 28, 1835.

No. 102. Mary Bailey, administrator of Smith Bailey, vs. William J. Russell. Notice issued March 19, 1834, alias issued, April 19, 1834, acknowledged by defendant, summons issued March 16, 1835.

No. 103. G. B. Cotten vs. John A. Wharton, curator and defender of O. H. Allen. No other entries. Notice issued March 20, 1834.

No. 104. Howth and Williams vs. W. B. Sweeney. Submitted to arbitrators E. Daniels and John Foster. Judgment in favor of plaintiff for \$73.75 and interest. Execution issued April 16, 1834; renewed September 8, 1834; new execution issued by W. H. Sledge, secretary, January 30, 1835.

No. 105. Henry Klonne vs. Jesse Thompson, William H. Patton, and A. W. Patton. Certificate granted by defendant. Notice issued March 18, 1834.

No. 106. Howth and Williams vs. R. H. W. Reel. Submitted to arbitrators Asa Brigham and Ephriam Anderson. Judgment in favor of plaintiff for \$30.12 and interest. Execution issued April (torn) 1834, renewed September 8, 1834; new execution issued by W. H. Sledge, secretary, January 30, 1835.

No. 107. George B. McKinstry vs. Nancy Bailey. Submitted to arbitrators T. F. L. Parrott and A. G. Mills. Judgment in favor of plaintiff for \$60.00 and interest. Execution issued October (torn) 1834; new execution issued March 16, 1835.

No. 108. E. Jeffery vs. R. H. W. Reel. Submitted to arbitrators T. F. L. Parrott and A. G. Mills. Judgment in favor of plaintiff for \$14.40 and interest. Execution issued April 16, 1834; renewed September 8, 1834; new execution issued by W. H. Sledge, secretary, endorsed by Silas Dinsmore, primary judge, January 30, 1835.

No. 109. Samuel Young vs. L. C. Manson. Submitted to arbitrators David Randon and Francis Moore. Judgment in favor of plaintiff for \$15.30 and interest. Execution issued April 19, 1834. Statement by William H. Jack that execution and amount had been certified.

No. 110. T. F. L. Parrott vs. W. D. C. Hall. Attorney for defendant appeared and confessed judgment for \$73.75 and interest. Execution issued October 22, 1834, new execution issued January 30, 1835.

No. 111. T. F. L. Parrott vs. J. A. H. Cleveland. Defendant appeared and confessed judgment for \$10.25. Execution issued October 22, 1834, new execution issued by W. H. Sledge, secretary, January 30, 1835.

No. 112. T. F. L. Parrott vs. Sylvester Bowen. Submitted to arbitrators J. S. D. Byrom and Ephriam Anderson. Judgment in favor of plaintiff for \$13.50 and interest. Execution issued October 22, 1834, new execution issued by W. H. Sledge, secretary, January 30, 1835.

No. 113. S. Fuller vs. William E. Howth, Augustus Williams, and A. G. and R. Mills. No defense was offered; judgment in favor of plaintiff for \$783.86 and interest, April 23, 1834. Copy certified by superior district judge, January 24, 1835.

No. 114. E. Jeffery, holder of note payable to J. S. D. Byrom, vs. Louis C. Manson. Case continued until April 12, 1834, when attorney for plaintiff appeared and confessed judgment for \$80.00 and interest. Execution issued April 19, renewed September 8, 1834; new execution issued by W. H. Sledge, secretary, for Silas Dinsmore, primary judge, May 25, 1835.

No. 115. E. Jeffery vs. William T. Austin. Defendant appeared and confessed judgment for \$13.78 and interest. Execution issued, April 16, 1834; new execution issued by W. H. Sledge, secretary, January 30, 1835.

No. 116. T. F. L. Parrott vs. Margaret Jameson. Defendant appeared and confessed judgment for \$38.00 and interest. Plaintiff granted stay of execution for 90 days. Execution issued October 22, 1834; new execution issued by W. H. Sledge, secretary, January 30, 1835.

No. 117. T. F. L. Parrott vs. W. H. Hendrick. Submitted to arbitrators Asa Brigham and William Baird. Judgment in favor of plaintiff for \$45.75 and interest. Plaintiff granted stay of execution until May 28. New execution issued March 16, 1835.

No. 118. T. F. L. Parrott vs. Phineas Smith. Submitted to arbitrators Charles D. Sayre and Francis Moore. Judgment in favor of plaintiff for \$36.75 and interest. Execution issued October 22, 1834; new execution issued by W. H. Sledge, secretary, January 30, 1835.

No. 119. Joseph H. Polley vs. William B. Sweeney and John D. Newell. Notice issued, March 22, 1834; notice returned March term, 1834.

No. 120, 121. Charlotte Robertson, alias Jackson, vs. Asa Brigham and William T. Austin, administrators for Edward Robertson. Case came to trial March 12, 1834. Court ruled in favor of plaintiff, since examination of testimony and the law indicated that plaintiff's claims were correct, on account of a marriage contract. Judgment in favor of plaintiff for \$2,300.00 and interest from June 26, 1832. Judgment against defendants: William T. Austin, \$887.22 for money collected from succession of Edward Robertson; against Asa Brigham sufficient to make full amount of judgment and costs. Order of payment issued to William T. Austin, March 28, 1834. Execution issued by W. P. Scots, April 25, 1834.

No. 122. Edwin Waller, abrogation of court procedure, March, 1834.
Full text:

At the March term of the Alcaldes Court for the Jurisdiction of Brazoria--The following order was entered by the court after consultation of all the causes at the bars: It was ordered that the old order of this Court be abrogated and that the code of practice for the State of Louisiana be adopted as the rules of this Court so far as they are applicable and in conformity with the existing laws of this State And it was ordered that the same be adopted and conformed to as the rules of this Court from this time forward I certify to the above

Edwin Waller
Alcalde

No. 123. Asa Brigham vs. Howth and Williams. Defendants appeared and confessed judgment for \$80.39 and interest. Execution issued October 8, 1834; new execution issued January 24, 1835.

No. 124. Nancy Bailey vs. E. Anderson, administrator of J. S. Council. Notice issued March 25, 1834; continued until April 12; continued until April 18.

No. 125. Nancy Bailey vs. Joseph Rees, administrator of C. G. Cox. Notice issued March 25, 1834.

No. 126. Nancy Bailey vs. T. F. L. Parrott. Notice issued March 25, 1834.

No. 127. H. H. League, agent for Robert H. Boyce and Company, vs. Samuel Wildy. After hearing testimony and examining law, court ruled that original plaintiff was entitled to \$557.89; defendant entitled to \$604.09, leaving balance of original judgment \$46.20; cost to be assessed against original plaintiff.

No. 128. William Stafford vs. Jacob Betts. Submitted to arbitrators E. Andrews and E. Anderson. Compromise could not be reached; suit continued to April 28, 1834.

No. 129. C. B. Stewart vs. J. A. H. Cleveland. Submitted to arbitrators William J. Russell and Henry Austin. Judgment in favor of plaintiff for \$17.00, costs to be assessed against plaintiff. Execution issued October 22, 1834; new execution issued by W. H. Sledge, secretary, for Silas Dinsmore, primary judge, January 28, 1835.

No. 130. C. B. Stewart vs. L. C. Manson. Attorney for defendant appeared and confessed judgment for \$14.63 and interest. Execution issued September 4, 1834, new execution issued by W. H. Sledge, secretary, for Silas Dinsmore, primary judge, January 28, 1835.

No. 131. Joseph Brown vs. Elizabeth Powell. Submitted to arbitrators A. W. Breedlove and R. L. Reeding. Judgment in favor of plaintiff for \$43.00 and interest. Execution issued October 22, 1834; new execution by W. H. Sledge, secretary, for Silas Dinsmore, primary judge, January 28, 1835.

No. 132. George Huff, surviving partner of Lewis S. Vidor, vs. Elizabeth Powell. Submitted to arbitrators H. Stratton and Stephen Richeson. Judgment in favor of plaintiff for \$15.38. Execution issued October 22, 1834; new execution issued by W. H. Sledge, secretary, for Silas Dinsmore, primary judge, January 28, 1835.

No. 133. John O'Neal, for Enoch Harris, vs. G. B. Cotten. Submitted to arbitrators G. M. Collinsworth and Asa Brigham. Judgment in favor of plaintiff for \$10.00 and interest.

No. 134. Charles B. Stewart vs. James P. Caldwell. Defendant sent written confession of judgment for \$58.35, March 26, 1834. Original note attached to page.

No. 135. Thomas F. McKinney vs. Wm. H. Jack, curator and defender of Hood and Milton, Charles D. Sayre, garnisher. Submitted to arbitrators Gowin Harris and Edmund Andrews. Agreement could not be reached; case submitted to court. Judgment against plaintiff, who had not been able to substantiate his claims; costs assessed against plaintiff, April 12, 1834.

No. 136. John J. Gay vs. Thomas R. Erwin. Notice issued, March 29, 1834; case continued until April 26, 1834. Judgment against defendant for \$8.00, April 26, 1834. Execution issued October 22, 1834.

No. 137. Howth and Williams, holder of note made payable to John Austin, vs. William Fream and William Dailey. Submitted to arbitrators Sylvester Bowen and Francis Moore. Judgment in favor of plaintiff for \$23.00 and interest. Execution issued April 16, 1834, alias issued April 5, 1835.

No. 138. Ephriam Anderson, administrator for succession of J. S. Council vs. John A. Wharton, curator O. H. Allen. No other entries.

No. 139. Shubael Marsh vs. William H. Patton. Submitted to arbitrators George M. Collinsworth and Asa Brigham. Judgment in favor of plaintiff for \$17.00. Notation states that above amount was paid; receipt for amount by William H. Jack, April 19, 1834.

No. 140. A. W. Breedlove vs. John A. Wharton, curator and defender of O. H. Allen. No other entries. Summons issued March 16, 1835.

- No. 141. Haley and Carson vs. John A. Wharton, curator and defender of O. H. Allen. No other entries.
- No. 142. Sylvester Bowen vs. John A. Wharton, curator and defender of O. H. Allen. No other entries.
- No. 143. L. H. Peters vs. Thomas R. Erwin. Never tried, as case crossed off.
- No. 144. L. H. Peters vs. J. B. Cowan. Notice issued April 4, 1834.
- No. 145. L. H. Peters vs. Thomas R. Erwin. Submitted to arbitrators Horace Stratton and Sylvester Bowen. Judgment in favor of plaintiff for \$18.18 and interest. Execution issued October 22, 1834.
- No. 146. L. H. Peters vs. Abraham Junker. Defendant appeared and confessed judgment for \$3.80. Execution issued October 22, 1834; alias issued April 5, 1835.
- No. 147. Thomas A. Borden vs. William J. Russell, administrator for Francis Hamilton. Notice issued April 4, 1834.
- No. 148. Thomas R. Erwin vs. Thomas Jameson. Notice issued April 9, 1834.
- No. 149. Thomas R. Erwin vs. Benjamin Tennel, administrator for Robert Martin. Notice issued April 9, 1834; defendant out of jurisdiction.
- No. 150. Haley and Carson vs. Benjamin Tennel. Notice issued April 9, 1834; defendant out of jurisdiction.
- No. 151. Joseph Powell vs. Joseph S. Martin. Notice issued April 9, 1834.
- No. 152. Edmund Andrews vs. Howth and Williams. Defendant appeared and confessed judgment for \$97.80 and interest. Execution issued September 22, 1834; new execution issued by W. H. Sledge, secretary, January 28, 1835.
- No. 153. Peter M. Hews, holder of note payable to J. C. Peyton, vs. William H. Patton, administrator for Isaac Marshall. Attorney for defendant appeared and confessed judgment for \$8.81. Execution issued October 22, 1834.
- No. 154. William H. Jack vs. George Huff, administrator of Samuel Sawyer. Notice issued April 10, 1834. No other entries.
- No. 155. H. S. and N. Brown vs. A. Snider. Notice issued April 10, 1834. No other entries.
- No. 156. Henry S. and N. Brown vs. George McKinstry. Defendant appeared and confessed judgment for demand of plaintiff. Notation states that \$1,862.00 was received by League and Ainsworth.
- No. 157. H. S. and N. Brown vs. Charles H. Bennett. Notice issued April 10, 1834. No other entries.
- No. 158. H. S. and N. Brown vs. T. F. L. Parrott, administrator of D. W. Anthony, deceased. Notice issued April 10, 1834. No other entries.

No. 159. Henry S. and N. Brown vs. C. G. Cox. Notice issued April 11, 1834. No other entries

No. 160. H. S. and N. Brown vs. W. D. C. Hall, administrator of Samuel Parkins. Notice issued April 11, 1834; continued to April 26, 1834.

No. 161. William S. Brown vs. Thomas S. Martin. Notice issued April 11, 1834. No other entries.

No. 162. A. G. and R. Mills vs. William J. Russell. Notice issued April 12, 1834. No other entries.

No. 163. William Thompson, for Sidney Phillips, vs. Henry Klomme. Notice issued April 12, 1834; suit settled; full amount paid by H. H. League.

No. 164. H. S. and N. Brown vs. Oliver H. Allen. No other entries.

No. 165. Arche Hodge vs. Henry Austin. Submitted to arbitrators T. F. L. Parrott and William Dailey. Judgment in favor of plaintiff for \$5.00. Notation states that judgment was paid to Captain H. (torn)

No. 166. McKinney, Groce, and Company vs. Joseph S. Martin. Judgment in favor of plaintiff for \$49.62 $\frac{1}{2}$, March 30, 1834.

The following index, direct by name of plaintiff and reverse by name of defendant, to the Docket, Jurisdiction of Brazoria, with reference to case number, has been prepared by the Historical Records Survey.

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1 vol.

General docket of the cases instituted in the primary court of the Jurisdiction of Columbia, showing the name of plaintiff, name of defendant, number of case, date of notice, recapitulation of fees. A few show notations of final settlement. Arr. chron. by date of filing. Partial alph. index, E-Z, with direct reference by name of plaintiff to case number. 268 pp. 10 x 8 x 2. C.C., office.

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Docket of cases filed in the primary court of the Jurisdiction of Columbia, during the year 1835. A brief notation of the disposition of the case is written beside each entry. An occasional note refers to recording of the proceedings in Book A, which is Record (Final), 12. Arr. numer. by case no. No index. Last 53 pages of Execution Docket (District Court), 1837-41, Vol. B. 53 pp. 16 x 9 x 2. D.C., office.

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11. ALCALDE COURT PAPERS, 1831-36. 148 instruments in 4 containers. Original papers filed in cases or issued by the alcalde or primary court in the Municipality of Brazoria from December 28, 1831, to November 12, 1836. The instrument usually shows the names of the parties, place and date signed, nature of the instrument, conditions and amount involved, court orders, judgments and notices with officer's returns. Most of the instruments relate to civil, criminal, or probate cases; a few to agreements between individuals. Arr. chron. by date of instrument. No index. $10\frac{1}{2} \times 4\frac{1}{2} \times 4$. Location of individual papers is shown by group number:

- Group I: 85 instruments, 1832-36, filed in file box marked Old Papers, No. 1, wrapped and marked Colonial Records. C.C., office.
- Group II: 2 instruments, 1833, filed in file box marked Executions Issued and Returned. C.C., office.
- Group III: 35 instruments, 1831-35, filed in file box marked Old Alcalde, in container marked Old Alcalde Papers. D.C., office.
- Group IV: 26 instruments, 1833-35, filed in file box marked Old Alcalde, in container marked Exhibits in 15491, Conley vs. Abrams. D.C., office.

The following calendar and index have been prepared by the Historical Records Survey. The index is a list of the names of parties mentioned in the instruments; reference is to serial number supplied for the purpose of reference.

1831

No. 1. John P. Dillard to Robert H. Williams, Austin's Colony, December 28, 1831. Contract to purchase three slaves for \$1500.00. Group III.

1832

No. 2. John Brown, February 27, 1832. Affidavit subscribed to before Alcalde Henry Smith that itemized account of Sylvester Murphy was a true account of the indebtedness, \$170.91. Debt contracted on July 31, 1831. Group III.

No. 3. Abner Harris, Bolivar, to William H. Lee, Brazoria, March 1, 1832. Transfer of blacksmith tools upon payment of \$18.00. Group I.

No. 4. Solomon Williams to George B. McKinstry and John Austin, Brazoria, March 4, 1832. Mortgage for \$400.00 on one negro girl, Sabetha. Group I.

No. 5. William McKnight, Bordentown, New Jersey, to John H. Bostwick, Brazoria, April 5, 1832. Power of attorney to settle accounts with Charles H. Bennett, Brazoria, and with Nicholas D. Bond in regard to the cargo of the Schooner North America, and other accounts due McKnight in Mexico. Printed form. Faded. Group I.

No. 6. William Harris to Henry Klonne, April 15, 1832. Promissory note for \$168.00. Group III.

No. 7. Sylvester Murphy, July 21, 1832. Probate papers. Group III.

No. 8. Sylvester Murphy, deceased, July 24, 1832. Inventory of property made by Wyly Martin and others, subscribed to before Alcalde John Austin, value \$16,254.50. Group III.

No. 9. George B. McKinstry and William T. Austin, August 27, 1832. Authorization to seize effects of Sylvester Murpny, as per inventory attached, to satisfy claims issued by John Austin. Group III.

No.10. Phineas Smith and Asa Brigham, December 2, 1832. Notice to appear and effect amicable settlement with George W. Smith through Jonathan C. Peyton, issued by Alcalde Henry Smith. Group I.

No.11. Sylvester Murphy, 1832. Itemized list of purchases by estate of Murphy, for goods bought in 1832 from A.G. and R. Mills, total amount \$1,826.81. Group III.

1833

No.12. Sylvester Murphy, January 1, 1833. Bill of goods purchased by estate of Murphy from A.G. and R. Mills, \$11.60. Group III.

No.13. George Elliott, February 8, 1833. Mortgage and judgment in favor of H.W. Munson and David Randon, for \$236.56, issued by Alcalde Henry Smith. Group I.

No.14. William Parks, San Felipe de Austin, February 12, 1833. Complete inventory of articles taken from John McCroskey, amounting to \$1,456.97. Nathaniel Caborn swore that he saw Parks take the property from the house of McCroskey, that Parks reminded him that the property belonged to McCroskey, that the property was carried away by wagon by Parks, and that Caborn accompanied Parks for some distance along the road to San Felipe. Group I.

No.15. McKinstry and Austin to Samuel Young, March 2, 1833. Receipt for \$25.00. Group I.

No.16. D.H. Hunter and wife vs. administrators of Samuel Murphy, March 14, 1833. Petition. Group IV.

No.17. Reynolds and Austin, February to April, 1833. Account with E. W. Gregory, New Orleans, with list of articles purchased. Group I.

No.18. A.G. and R. Mills vs. P. R. and Ann Splane, April 7, 1833. Account presented in suit brought. Group III.

No.19. William McKnight, Bordentown, New Jersey, to Charles D. Sayre, Brazoria, Province of Texas, April 11, 1833. Power of attorney to collect debts due in the province. Group I.

No.20. McKinstry and Austin to Samuel Young, April 22, 1833. Receipt for \$40.00. Group I.

No. 21. Wyly Martin vs. estate of John Austin, May 7, 1833. Petition for and order of payment. Group IV.

No. 22. J. Brown to J. S. D. Byrom, July 1, 1833. Promissory note for \$176.84. Group III.

No. 23. Henry Smith to sheriff, July 1, 1833. Notice to Austin and McKinstry to appear in action brought by J. S. D. Byrom on claim for \$242.37. Group III.

No. 24. Allen Larrison to Alcalde Henry Smith, July 3, 1833. Petition for guardianship in which Larrison states that he is a mill and gin wright, that one Jesse Williams, aged about sixteen, has applied to become an apprentice under him. The alcalde granted Larrison permission to become guardian for Williams for four years. Group I.

No. 25. George D. Shaw, curator for William Parks, July 11, 1833. Notice to appear to answer to cause brought by Sally McCroskey and William D. Lacy, amount \$1,606.43 $\frac{3}{4}$, issued by Henry Smith. Group I.

No. 26. George D. Shaw, July 11, 1833. Designation as curator for William Parks, and order to answer petition of Sally McCroskey, issued by William Smith. Group I.

No. 27. William Harris, Chocolate Bayou, to Henry Smith, Brazoria, July 12, 1833. Group III. Full text;

dear sir

These authorize Mr. F. Moore to arrange the business with you relative to a note against me in favor of Mr. Klonne I wish I have what time the law will allow me,

Henry Smith, Esq.

Yours respectfully
William Harris

No. 28. Charlotte Robertson vs. Asa Brigham, administrator of estate of Edward Robertson, July 15, 1833. Petition, citation for compromise, certificate, and citation to answer demands. Group IV.

No. 29. D. W. Anthony, July 20, 1833. Appointment as curator for William Parks in place of George D. Shaw, who was absent, issued by Alcalde Henry Smith. Anthony acknowledged the appointment on the same day. Group I.

No. 30. Samuel Sawyer vs. George B. McKinstry, July 27, 1833, Brazoria. Note on judgment for \$9,755.75. Group IV.

No. 31. S. Rhodes Fisher vs. Seth Ingram, Department of Bexar, Jurisdiction of Austin. Execution in favor of plaintiff for \$383.43 with interest from September 25, 1830, amounting to \$30.68 $\frac{1}{2}$. Executed by B.F. Cage for G. M. Collinsworth, sheriff, August 5, 1833, on one-half league of land on NE of San Bernard River. Group II.

No. 32. A. G. and R. Mills vs. administrators of Sylvester Murphy, September 6, 1833. Petition for order of payment. Group IV.

- No. 33. A. G. and R. Mills vs. representatives of Sylvester Murphy, September 6, 1833. Petition for inventory of estate. Group IV.
- No. 34. Charles H. Bennett vs. W. D. C. Hall, September 7, 1833. Petition issued. Group IV.
- No. 35. Administrators of John Austin vs. Louis C. Manson, September 7, 1833. Mandate executed. Group IV.
- No. 36. J. S. D. Byrom vs. Jeremiah Brown, September 8, 1833. Notice to appear to answer cause on note for \$176.84, issued by Alcalde Henry Smith. Group III.
- No. 37. Robert D. Moore vs. M. W. Smith, September 8, 1833. Petition on contract and note, \$150.00. Group III.
- No. 38. Robert D. Moore vs. M. W. Smith, September 8, 1833. Notice to attach goods and effects of M. W. Smith sufficient to pay \$150.00 with costs, issued by Alcalde Henry Smith. Group III.
- No. 39. L. Lesassier, F.W. Johnson, Samuel M. Williams, Stephen F. Austin, and Oliver Jones, San Felipe de Austin, September 11, 1833. Petition to stay sale of printing press, type, and fixtures belonging to estate of David W. Anthony, subscribed to before John P. Coles, regidor acting as alcalde, witnessed by William H. Jack and R. Vaughan. Group IV.
- No. 40. R. M. Williamson, Brazoria, September 15, 1833. Injunction granted against T. F. L. Parrott to prevent him from selling a printing press and other property belonging to estate of David W. Anthony. Williamson acting for Luke Lesassier, Francis W. Johnson, Stephen F. Austin, Oliver Jones, and Samuel Williams. Group IV.
- No. 41. D. H. Hunter and Ann, his wife, vs. representatives of Sylvester Murphy, September 18, 1833. Notice for amicable settlement, executed on W. T. Austin by G. M. Collinsworth. Group IV.
- No. 42. Williams and Haley vs. L. C. Manson, September 23, 1833. Injunction executed. Group IV.
- No. 43. Joseph McGee vs. Daniel Milligan, September 23, 1833. Group III. Full text:

District of Brazoria to Citizen, Henry Smith Constitutional Alcalde, for said Jurisdiction Joseph McGee, a resident of his jurisdiction represents to your Honor that on or about the 18th of the present month, in said jurisdiction the said Milligan made an assault upon the body of the said McGee and with malice upressence and without having the fear of the law before his eyes beat bruised whipped and greatly abused the said McGee to his great damage of five hundred dollars and to the great injury to the peace and harmony of this community--Therefore he prays your honor to issue your writ and caused the said Milligan to appear before you at your office on some covenant day to answer to the above, charge and do such other justice as to you may seem

equitable. This said McGee personally appeared before me and made oath that the matter and things set forth in his petition were just and true as therein adjudged and set forth this 23 Sept 1833.

Henry Smith
Alcalde

No. 44. Joseph McGee vs. Daniel Milligan, September 30, 1833. Henry Smith to sheriff to summon Daniel Milligan to answer charges set forth in statement filed September 23, 1833. Group III.

No. 45. R. D. Moore vs. M. W. Smith, October 3, 1833. Defendant pleaded that the facts as presented were not true, and prayed to be released from attachment. Group III.

No. 46. Warren D. C. Hall, October 5, 1833. Notice to appear to answer cause brought by Charles H. Bennett on note for \$125.00, issued by Alcalde Henry Smith. Group III.

No. 47. Seth Ingram, Robert H. Williams, W. L. Cazneau, and L. Ramsey, October 7, 1833. Appraisements of land involved in execution in favor of S. Rhodes Fisher. Appraised by Williams and Ingram at \$1.00 per acre; appraised under affidavit by Cazneau at 20¢, and by Ramsey at 30¢. Sworn to before Samuel Hoit, commissioner. Group II.

No. 48. Louis C. Manson, October 8, 1833. Notice to appear to answer to cause brought by T. F. L. Parrott on bill for \$188.25. Group II.

No. 49. A. W. Breedlove and G. B. Cotten, October 14, 1833. Notice to appear to testify in suit brought by T. F. L. Parrott, administrator of D. W. Anthony, issued by Alcalde Henry Smith. Group III.

No. 50. J. S. D. Byrom vs. W. T. Austin, October 10, 1833. Petition issued. Group IV.

No. 51. Caleb Kemp vs. Freeman George, October 15, 1833. Motion for amicable settlement. Group IV.

No. 52. Louis C. Manson, October 17, 1833. Notice to appear to stand trial in cause brought by T. F. L. Parrott, issued by Henry Smith. Group III.

No. 53. Godwin B. Cotten to Samuel Young, October 29, 1833. Mortgage on two hundred acres of land out of League No. 5, fronting five acres on the west bank of the Colorado River, for \$79.00 with interest for the period of one year. Issued by Alcalde Henry Smith; witnessed by R. R. Royall, Henry Austin, W. Barrett Travis, and William H. Jack. Group I.

No. 54. William Clapp and James Cummins, November 12, 1833. Notice to appear as witnesses in case of H. H. League vs. Robert H. Boyce, issued by Alcalde Henry Smith. Group I.

No. 55. Samuel Wildy, November 12, 1833. Notice to appear to answer cause brought by H. H. League, issued by Alcalde Henry Smith. Included is a promissory note from Samuel Wildy to A. M. Clare for \$540.29, given July 15, 1833, due on or before October 1, 1833. Group I.

No. 56. Samuel Wildy, November 12, 1833. Notice to appear to answer cause brought by Robert H. Boyce through his agent, H. H. League, issued by Alcalde Henry Smith. Group I.

No. 57. William Tate, William Clapp, George Robinson, and Daniel Rawls, November 15, 1833. Notice to appear as witnesses in case of H. H. League vs. Samuel Wildy, issued by Alcalde Henry Smith, November 15, 1833. Executed by G. M. Collinsworth. Group I.

No. 58. Henry L. Boyce, William Clapp, W. McMahan, and Daniel Rawls, November 16, 1833. Notice to appear in case of Robert H. Boyce vs. Samuel Wildy, issued by Alcalde Henry Smith. Group I.

No. 59. Joseph Walker, D. S. Waltman, Joseph Mims, and John James, November 17, 1833. Notice to appear to give testimony in case of Joseph McGee vs. Daniel Milligan. Group III.

No. 60. Joseph McGee vs. Daniel Milligan, November 20, 1833. Notice of trespass, served and acknowledged by G. M. Collinsworth. Group IV.

No. 61. Alvin H. Allen, December 2, 1833. Notice that the deposition of Samuel C. Douglas would be taken in the alcalde's court, in suit of D. H. Hunter and Ann Douglas Hunter, his wife, vs. P. R. Splane. Group III.

No. 62. D. H. Hunter and Ann Douglas Hunter, his wife, vs. W. T. Austin and G. B. McKinstry, December 3, 1833. Notice that plaintiff would take deposition of Seaborn Goodall et al., residents of State of Georgia. Group III.

No. 63. J. L. Vaughan and Augustus Williams to Robert H. Williams, December 24, 1833. Mortgage contract on real property and negroes, subscribed to before Alcalde Henry Smith, witnessed by Joseph Mims, W. B. Sweeney, D. C. Cady, and William H. Jack. Group I.

No. 64. Peyton R. Splane, December 29, 1833. Execution issued to sheriff to seize certain property of Peyton R. Splane to satisfy debts due creditors, issued by Alcalde John Chaffin. Property seized included one bay horse, which was sold at public out-cry to W. D. C. Hall for \$109.00; executed July 2, 1834. Group I.

No. 65. Henry Klonne vs. William Harris, 1833. Execution for \$168.00. Judgment and costs settled by Augustus Williams, sheriff. Group IV.

1834

No. 66. H. H. League vs. Samuel Wildy, January 1, 1834. Continuance in case granted plaintiff. Group I.

- No. 67. H. H. League to George Huff, January 8, 1834. Power of attorney to receive money in possession of Chambers and Lewis, of San Felipe, to collect all debts and make proper settlements in the name of the grantor. Group I.
- No. 68. A. G. Mills vs. William T. Austin, administrator, and P. R. and Ann D. W. Splane, heirs of Sylvester Murphy, January 14, 1834. Order to make settlement. Group IV.
- No. 69. A. G. and R. Mills vs. P. R. and Ann D. W. Splane, January 14, 1834. Order to make settlement. Group IV.
- No. 70. John McCashin to League and Ainsworth, January 15, 1834. Power of attorney to act in the absence of McCashin, subscribed to before Alcalde Edwin Waller. Badly torn and faded. Group I.
- No. 71. A. G. and R. Mills vs. P. R. and Ann D. W. Splane, January 22, 1834. Petition for execution. Group IV.
- No. 72. A. G. and R. Mills vs. G. B. McKinstry, W. T. Austin, and P. R. and Ann D. W. Splane, January 22, 1834. Execution. Group IV.
- No. 73. Samuel Wildy vs. H. H. League and Robert Boyce, January 24, 1834. All instruments in case. Group IV.
- No. 74. A. G. and R. Mills vs. P. R. and Ann D. W. Splane, January 25, 1834. Execution levied on negro boy, Nelson, and girl, Lucy, by A. Williams, sheriff. Group IV.
- No. 75. Samuel Wildy, Robert Boyce and Company, John A. Wharton, R. M. Williamson, and League and Ainsworth, January 27, 1834. Notice that he will appear before alcalde of Austin, to take testimony of certain witnesses, issued by Alcalde Edwin Waller. Group I.
- No. 76. Abram Shuler to G. B. Jameson, January 31, 1834. Power of attorney. Badly faded. Group I.
- No. 77. Samuel D. Waltman, deceased, February 3, 1834. Letter of administration to James P. Caldwell. Inventory of property, including personal goods and slaves, taken by Gowin Harris and William H. Carson, subscribed to before Alcalde Edwin Waller. Amount \$2,144.00. Group I.
- No. 78. Charlotte Jackson vs. W. T. Austin, administrator for Edward Robertson, February 5, 1834. Notice of suit. Group IV.
- No. 79. William B. Sweeney, February 9, 1834. Notice to appear and settle claims for \$600.00 due succession of M. Henry, issued by Edwin Waller. Group I.
- No. 80. William B. Sweeney, John Sweeney, and D. McCormick, February 9, 1834. Notice to appear to answer cause brought by J. T. Tinsley, administrator for succession of James Turner, issued by Alcalde Edwin Waller. Group I.
- No. 81. Solomon Williams, February 9, 1834. Notice to appear to answer cause brought by Samuel Hoyt for \$270.00. Group I.

- No. 82. Solomon Williams, February 9, 1834. Notice to appear to answer cause brought by Samuel Hoit, in matter of a judgment of \$275.00, which remained unpaid. Alcalde Edwin Waller ordered Williams to appear to show cause. Group I.
- No. 83. Haley and Carson, February 12, 1834. Notice to appear to answer cause brought by Howth and Stevinson for \$100.53, issued by Alcalde Edwin Waller. Included is promissory note from Haley and Carson to Howth and Williams for \$100.53, January 18, 1834. Group I.
- No. 84. William Tate, February 13, 1834. Subpoena to appear in action of H. H. League vs. Samuel Wildy, issued by Edwin Waller. Group I.
- No. 85. Phineas Smith and Asa Brigham, February 14, 1834. Notice to appear to answer cause brought by Jonathan C. Peyton, administrator for George W. Smith, issued by Alcalde Edwin Waller. Group I.
- No. 86. P. R. Splane, February 18, 1834. Notice to sheriff to summon Splane to answer cause brought by Margaret Jameson on debt of \$350.00, issued by Alcalde Edwin Waller. Group I.
- No. 87. Margaret Jameson vs. P. R. Splane, February 18, 1834. Notice to sheriff to summon parties, issued by Alcalde Edwin Waller. Group I.
- No. 88. Margaret Jameson vs. P. R. Splane, February 18, 1834. Plaintiff petitioned for judgment to satisfy mortgage for \$305.00 given by P. R. Splane on one farm building in twon of Brazoria. Group I.
- No. 89. Margaret Jameson vs. P. R. Splane, February 18, 1834. Judgment against Splane for \$305.00. Attached to judgment is promissory note from P. R. Splane to Margaret Jameson, October 20, 1832. Group I.
- No. 90. Godwin B. Cotten vs. succession of D. W. Anthony, February 19, 1834. Six instruments in suit to recover wages from estate of D. W. Anthony. Included are an itemized list of wages, a petition for suit, and judgment rendered by Alcalde Edwin Waller. Group I.
- No. 91. McNeel and Woodson vs. Robert D. Moore, February 22, 1834. Judgment for \$172.09. A pledge on 20 cows and calves was given, and was granted by Alcalde Edwin Waller, February 22, 1834. Promissory note for \$172.09 in favor of McNeel and Woodson given by Robert D. Moore, July 22, 1834, attached to judgment. Group I.
- No. 92. Ephriam Anderson, February 22, 1834. Notice to appear to settle judgment of \$20.00 in favor of E. Jeffery, issued by Alcalde Edwin Waller. Group I.
- No. 93. Ruben P. T. Stone, February 22, 1834. Stone, under arrest in a criminal offense, petitioned through his counsel, John A. Wharton, for permission for Wharton to protect his civil rights. Granted by Alcalde Edwin Waller. Group I.
- No. 94. William H. Jack, February 22, 1834. Notice to Augustus Williams, sheriff, to summon Jack to appear as witness in suit of George B. McKinstry vs. Benjamin F. Smith, issued by Alcalde Edwin Waller. Group I.

- No. 95. Abram Wheeler to G. B. Wheeler, February, 1834. Power of attorney to settle claims in the province. Badly faded. Group I.
- No. 96. Samuel Wildy, March 4, 1834. Petition for new trial in suit brought by H. H. League. Group I.
- No. 97. O. H. Spencer, March 6, 1834. Notice to answer cause filed for R. P. T. Stone, under arrest in criminal offense, by S. Vandivers, issued by Alcalde Edwin Waller. Vandivers petitioned to attach property of Spencer, amounting to \$175.00. Petition granted. Group I.
- No. 98. O. H. Spencer, March 7, 1834. S. Vandivers petitioned through John A. Wharton, curator for R. P. T. Stone, to recover \$145.00 from Spencer for debt due Stone. Subscribed to before Alcalde Edwin Waller. Group I.
- No. 99. Samuel Young, March 12, 1834. Notice to appear and answer cause brought by George B. McKinstry in behalf of McKinstry and Austin on note for \$239.48, issued by Alcalde Edwin Waller. Group I.
- No. 100. Samuel D. Waltman, March 12, 1834. Account with T. F. L. Parrott for \$9.63 for medicines bought in 1833, paid by J. P. Caldwell. Group I.
- No. 101. Howth and Stevinson vs. Haley and Carson, March 17, 1834. Execution and order to sheriff by Alcalde Edwin Waller to seize and sell property of Haley and Carson sufficient to cover the amount of judgment. Levied on Blocks 1 and 4 in town of Brazoria, October 23, 1834, by Alex Russell, deputy sheriff. Group I.
- No. 102. Asa Brigham to creditors (not named) of Brigham and Richardson, March 21, 1834. Mortgage deed to league of land on Hall's Bayou, on plat League No. 3, East, Jurisdiction of Brazoria, was to remain a pledge to creditors. Group I.
- No. 103. Shubael Marsh to William H. Jack, March 28, 1834. Power of attorney to collect money owing Marsh by the succession of Obidiah Pitts. Group I.
- No. 104. Charlotte Jackson, alias Robertson, vs. W. T. Austin, administrator for Edward Robertson, March 30, 1834. Execution served. Group IV.
- No. 105. William B. Sweeney, April 6, 1834. Notice to appear to answer cause brought by M. Henry, issued by Alcalde Edwin Waller. Group I.
- No. 106. Maurice Henry, April 8, 1834. Petition to recover \$600.00 from W. B. Sweeney, brought by John A. Wharton, executor. Group I.
- No. 107. William B. Sweeney, John Sweeney, and David McCormick, April 8, 1834. Notice to appear to answer cause brought by J. T. Tinsley for debt of \$849.43 3/10, issued by Alcalde Edwin Waller. Group I.
- No. 108. Robert H. Williams, John Jones, George Robinson and William Tate, April 8, 1834. Notice to appear in case of League vs. Wildy, issued by Alcalde Edwin Waller. Group I.

No. 109. Warren D. C. Hall, April 9, 1834. Notice to appear and effect amicable settlement with Henry Klonne in the amount of \$440.00, issued by Alcalde Edwin Waller. Group I.

No. 110. William H. Jack vs. George Huff, administrator for Samuel Sawyer, April 10, 1834. Petition and commission to take testimony. Group IV.

No. 111. Daniel Rawls and John Jones, April 12, 1834. Affidavit in the case of H. H. League vs. Samuel Wildy, subscribed to before Alcalde Edwin Waller. Group I.

No. 112. H. S. and N. Brown vs. Oliver H. Allen, April 12, 1834. Petition to sue for \$105.06, as per books of the tavern, requesting that action be directed against Allen's property lying in the jurisdiction. Group I.

No. 113. William H. Jack, April 14, 1834. Notice that he would take the testimony of William B. Travis, Ephram Roddy, Ira R. Lewis and Jonathan C. Peyton in suit of Jack vs. George Huff, administrator of the succession of Samuel Sawyer. Group III.

No. 114. Benjamin F. Smith, April 25, 1834. Affidavit stating that he was not able to procure witnesses to appear in case brought by George B. McKinstry. Group I.

No. 115. H. H. League, April 30, 1834. Affidavit stating that he could not come to trial without services of William Tate, George Robinson, Bert H. Williams and John Jones, and that on or about April 1, 1833, he (League) leased his ferry and tavern on the Colorado River to Samuel Wildy for \$35.00 per month, and that Wildy had left the premises to great injury and had not paid rent as stipulated. Subscribed to before Alcalde Edwin Waller. Group I.

No. 116. William B. Sweeney, John Sweeney, and David McCormick, April 30, 1834. Notice to answer petition brought by Isaac T. Tinsley, administrator for James Turner, on note for \$849.43 $\frac{3}{4}$ signed by John A. Wharton for petitioner. Included is promissory note from William B. Sweeney, John Sweeney, and David McCormick to I. T. Tinsley. Group I.

No. 117. A. W. Breedlove, to A. G. and R. Mills, June 13, 1834. Transfer of claims held against Alvin H. Allen. Account filed for settlement in alcalde's court. Group I.

No. 118. Susan G. Breedlove, to A. G. and R. Mills, June 13, 1834. Transfer of claims held against Alvin H. Allen. Account filed for settlement in alcalde's court. Group I.

No. 119. George Huff, June 29, 1834. Summons in suit of A. Winston vs. R. H. Williams, served by John Hale. Group III.

No. 120. William H. Jack, to D. Hunter and wife, July 12, 1834. Notice that Jack will take testimony of Luke Loper, Brazoria. Addressed to John A. Wharton, attorney. Group III.

No. 121. A. G. and R. Mills vs. Robert D. Moore, July 20, 1834. Mortgage and judgment. Group III.

No. 122. William Sweeney, John Sweeney, and David McCormick, September 11, 1834. Notice to appear to answer cause brought by I. T. Tinsley for \$834.43 $\frac{3}{4}$, issued by Alcalde Edwin Waller. Group I.

No. 123. Joseph Bernard Hoppe to F. C. Gray and A. J. Harris, September 18, 1834. Apprentice indenture, in which Hoppe is bound to Gray and Harris, printers, to learn the printing trade. Subscribed to before Alcalde Edwin Waller, and witnessed by George M. Collinsworth, Gowin Harris, William Haley, and C. A. Betner. Group I. Full text:

This indenture made the 18th day of Sept in the year of our lord one thousand and eight hundred and thirty four witnesseth that Joseph B. Hoppe aged Sixteen years four Months and one day hath, of his own free and voluntary will placd and bound himself apprentice unto Gray and Harris printers of Brazoria, to learn the Sd. profession misstery or occupation of a Printer, which they the Sd. Gray & Harris useth and with them as an apprentice to dwell continue and serve from this day of this date hens, unto the full end and term of four years and and eight months the Sd. apprentice, his Said Masters well and faithfully shall Serve, thir Secrets keep, thir lawful commands gladly do and obey; but to his Sd. Masters he shall not do nor wilfully Suffer to be done by others, but of the Same, to the utmost of his power, Shall forthwith give Notice to his Sd. Masters; the goods of his Sd. Masters he shall not embezzle or waste, nor them lend without thir consent, to any; at Cards, dice, or any other unlawful games he shall not play; Taverns or Ale houses he shall not frequent, Matrimony he shall not contract, from the Service of his Sd. Masters he shall not at any time depart or absent himself without his Sd. Masters leave; but in all things, as a good and faithful apprentice shall and will demean and behave himself towards his Sd. Masters and all thirs, during the said term. And the Sd. Masters doth agree to instruct the Sd. apprentice in the Sd. profession, Mistry or occupation of a printer which they now useth, with all things therunto belonging, shall and will teach, instruct or cause to be well and Sufficiently taught and instructed after the best way and manner he can, and shall and will also find and allow unto this Sd. apprentice Meat, drink, washing, lodging and apparrels both linnen and woolen and all the necessaries fit and convenient for such an apprentice during the term aforesaid.

Witnesses

Geo. M. Collinsworth
Gowin Harris

Joseph, Bernard, Hoppe
F. C. Gray
A. J. Harris

Asst. Witness
William Haley

Edwin Waller
Alcalde

Asst. Witness
Chas. A. Bettner

No. 124. J. S. D. Byrom vs. Jeremiah Brown, September 25, 1834. Notice of petition executed. Group IV.

No. 125. Ann M. Waltman, October 3, 1834. Bill of goods bought from Thomas I. Hawks, \$8.87. Payment made by J. P. Caldwell. Group I.

No. 126. Ann M. Waltman, October 3, 1834. Bill of goods purchased from Thomas I. Hawks, 75¢. Payment made by James P. Caldwell. Group I.

No. 127. Augustus Williams, sheriff, December 29, 1834. Receipt for costs from A. G. and R. Mills in the suit brought by them against the succession of Sylvester Murphy and Peyton R. Splane and wife. Group III.

1835

No. 128. William P. Harris, Robert Wilson, Elisha Mather, Meriwether W. Smith, and H. H. League, January 2, 1835. Contract relating to steam grist and saw mill in Harrisburg. Group I.

No. 129. James L. Vaughan to Augustus Williams, January 9, 1835. Petition to Alcalde Asa Brigham to summon Williams to appear in answer to suit brought by plaintiff (not named) to recover for property sold the defendant. Group I.

No. 130. John Sweeney to S. Marsh, administrator for succession of Obidiah Pitts, January 10, 1835. Mortgage on one negro man, his wife, and four children, for \$2,867.00. Group I.

No. 131. Augustus Williams or Robert H. Williams, January 15, 1835. Notice to sheriff to summon Augustus Williams or Robert H. Williams, his curator, to appear in answer to suit brought by James L. Vaughan, issued by Alcalde Asa Brigham. Group I.

No. 132. Samuel Hoit vs. Solomon Williams, January 25, 1835. Alias execution issued by S. Dinsmore. Group I.

No. 133. J. A. E. Phelps vs. succession of S. Murphy, February 11, 1835. All papers in case. Group III.

No. 134. McKinney and Williams to William H. Jack, March 23, 1835. Power of attorney. Group I.

No. 135. Anthony Winston, of Alabama, to Primary Judge Silas Dinsmore, April 6, 1835. Complaint that Robert H. Williams owed Winston \$950.00 filed by W. H. Jack, attorney for plaintiff. Citation issued by S. Dinsmore. Group III.

No. 136. Robert H. Williams, April 7, 1835. Notice to appear to answer cause brought by Anthony Winston in suit on note for \$950.00, issued by Primary Judge S. Dinsmore. Printed form. Group III.

No. 137. T. F. L. Parrott, curator for succession of J. Austin, vs. John W. Hall and W. S. Hall, May 20, 1835. Notice of petition. Group III.

No. 138. Phineas Ripley vs. Allen Larrison, June 2, 1835. Judgment in favor of plaintiff on account of \$100.50 by court, S. Dinsmore, primary Judge. Group III.

No. 139. Theodore Bennett and John Sharp, June 10, 1835. Contract forming a commercial and trading enterprise under the name of Bennett and Sharp, stating that they had purchased the goods of Sterling McNeel, and had given notes for the amount of purchase, and agreeing to assume joint responsibility for the indebtedness. Group I.

No. 140. Edwin Waller to John Thomas, September 22, 1835. Deed for two negro slaves, one man and one woman, a bay pony and one mule, in exchange for two negro slaves, one man and one woman. Group I.

1836

No. 141. W. C. White to B. C. Franklin, September 1, 1836. Petition for probate of estate of Peletin W. Gordon. Group I. Full text:

Benj. C. Franklin, Esq:

Marion, Sept. 3, 1836

Dr. Sir Mr. Peletin W. Gordon late a resident of Columbia was killed in the Alamo and died intestate. He has some property in Columbia and as I received a short time since a letter from his father in the U.S. requesting me to administer on his estate & also to give him information respects it. I have concluded to apply to your honour for letters. He died indebted to me a small sum & as he had no blood relation in the county I presume the application is not improper.

Respectfully yours,
W. C. White

No. 142. Walter C. White, District of Brazos, Brazoria, October 18, 1836. Appointment as administrator for estate of Peletin W. Gordon, issued by Judge Benjamin C. Franklin. Group I.

No. 143. James Hines and Edwin Waller, November 2, 1836. Attest of inventory of property of Jesse Strother, deceased. Group I.

No. 144. Patrick Faddin to Benjamin C. Franklin, November 12, 1836. Petition. Group I. Full text:

County of Brazoria }
District of Brazos }

To the Honorable Benjamin C.
Franklin Judge in and for the
District of Brazos

The petition of Patrick Faddin respectfully submits that his Brother John Faddin was lately Killed by the Mexican Enemies of the Republic, whilst attached to Capt Westovers Company of Col. Fannin's division, that he departed this life intestate, leaving no other relative in the Republic. Wherefore Your Petitioner prays that he may be appointed administrator of the said John Faddin under such regulations as your Honor may deem right and proper.

his
Patrick X Faddin
mark

To Benjamin C. Franklin
Judge Dist Brazos
At Office Brazoria
12th Nov 1836

The foregoing petition read and the prayer of the
Petitioner granted--It is ordered considered and adjudged
by the court and Patrick Faddin is hereby appointed Admin-
istrator of John Faddin and it is ordered that letters of
administration issue upon his taking the oath & filing the
necessary Bond

Benjamin C. Franklin
Judge Dist. Brazos

No date

No. 145. John Sutherland to Benjamin C. Franklin. Application for pro-
bation of estate of William Wills, deceased. Group I. Full text:

County of Brazoria X
District of Brazos X

To the Honorable Benjamin C.
Franklin Judge in and for said
District

The petition of John Sutherland respectfully represents
that William Wills late of the Republic of Texas was killed
at the "Alamo" by Mexican enemies of the Republic and de-
parted this life intestate--wherefore your petitioner prays
that he may be appointed administrator of the said William
Wills dec'd. In the absence of any relative of the dec'd
resident in the Republic of Texas under such regulations as
your honor may deem proper.

John Sutherland (ALS)

No. 146. L. C. Manson. Affidavit that John Austin, deceased, or his suc-
cession had failed to keep contract and he felt that he should not be called
upon to appear in case. Filed by his attorney, O. H. Allen. Group I.

No. 147. Robert J. Calder to James P. Caldwell. Account for slaves bought
from estate (not named). Group I.

No. 148. W. D. C. Hall to H. H. League. Application for guardianship.
Group I. Full text:

H. H. League, Esq, Sir:

I am requested by my counsel to mention through you the
security I offer for my full and legal administration as Tutor
for Ann E. Wilkerson should I receive the appointment-- is
land & Negroes Twice the amount of the effect of the minor,
with exceptionable personal security.

Warren D. C. Hall (ALS)

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- No. 1. J. W. E. Wallace vs. J. D. Holderman, based on cause, December 8, 1835.
- No. 2. J. W. E. Wallace vs. J. D. Holderman, based on cause, April 7, 1835.
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- No. 4. S. Marsh vs. Elijah Caple, James Crunck, and S. S. Gillet, originated in primary court, Municipality of Columbia, March 18, 1835.
- No. 5. E. W. Gregory, endorser, vs. A. Brigham, based on cause, April 1, 1835.
- No. 6. Babcock, Gardiner, and Co. vs. Asa Brigham, surviving partner of the firm of Brigham and Richardson, originated in primary court, Jurisdiction of Columbia, March 19, 1835.
- No. 7. Sayre and Nixon vs. Asa Brigham, originated in primary court, Jurisdiction of Columbia, March 19, 1835.

- No. 8. Palmer, Smith, and Co. vs. Asa Brigham et al., originated in primary court, Jurisdiction of Columbia, March 19, 1835.
- No. 9. Hill and Henderson vs. Asa Brigham, originated in primary court, Jurisdiction of Columbia, based on cause, April 18, 1832.
- No.10. A. G. and R. Mills vs. Asa Brigham, originated in primary court, Jurisdiction of Columbia, based on cause, April 18, 1832.
- No.10¹/₂. A. G. and R. Mills vs. Asa Brigham, surviving partner, based on cause, October 17, 1832.
- No.11. N. Harrington, Jr. vs. Asa Brigham et al., originated in primary court, Jurisdiction of Columbia, based on cause, September 14, 1832.
- No.12. Samuel Young vs. Asa Brigham, originated in alcalde court, Jurisdiction of Brazoria, January 23, 1834.
- No.13. McKinney and Williams vs. Bowen and Byrom, originated in alcalde court, Jurisdiction of Brazoria, January 26, 1835.
- No.14. John W. Buckner vs. William B. Sweeney, originated in primary court, Jurisdiction of Columbia, June 5, 1835.
- No.15. Anthony Winston vs. Robert W. Williams, originated in alcalde court, Jurisdiction of Columbia, March 21, 1835.
- No.16. Sterling McNeel vs. M. W. Smith, originated in primary court, Jurisdiction of Columbia, April 29, 1835.
- No.17. Walter C. White vs. succession of John Austin, originated in alcalde court, Jurisdiction of Columbia, October 23, 1834.
- No.18. William H. Jack vs. George Huff, administrator of Samuel Sawyer, originated in alcalde court, April 9, 1834.
- No.19. David Ayres vs. W. B. Sweeney and John Foster et al., based on cause, February 1, 1836.
- No.20. David Breeding: Guarding &c vs. Wm. S. and Warren D. C. Hall, based on cause, January 1, 1837.
- No.22. Robert Scoby, administrator of Strother, vs. William Kennedy, based on cause, March 1, 1836
- No.24. Wily Martin vs. estate of John Austin, originated in alcalde court, Jurisdiction of Brazoria, October 24, 1834.
- No.25. Walter C. White, vs. T.F.L. Parrott and wife, based on cause, December 7, 1833.
- No.26. William B. Sweeney vs. Joseph H. Polley, originated in primary court, Jurisdiction of Columbia, March term, 1835, appealed by plaintiff to the Supreme Court of Texas, which granted injunction in favor of plaintiff, June 18, 1837.

- No. 28. Joseph Rees, executor for Cox, vs. Peyton R. Splane, originated in primary court, Jurisdiction of Columbia, June 7, 1835.
- No. 29. Charles H. Bennett vs. Peyton R. Splane, originated in alcalde court, Jurisdiction of Columbia, June 2, 1835.
- No. 30. Charles H. Bennett vs. Peyton R. Splane, originated in primary court, Jurisdiction of Columbia, June 7, 1835.
- No. 35. James F. Perry, executor, vs. William Barrett and Abner Harris, based on cause, April 4, 1828.
- No. 37. Edwin Waller for Monroe Edwards vs. Columbus R. Patton, based on cause, October 1, 1835.
- No. 41. M. W. Smith vs. George Elliott and Solomon Williams, originated in alcalde court, Jurisdiction of Brazoria, March 19, 1834.
- No. 42. Abner Harris vs. Ruth Harris, widow of William Harris, and Mary Ann, Maria Ann, Elvia and Evelina, children and minors of said William Harris by said Ruth, their guardian; based on action sometime during 1830.
- No. 43. Monroe Edwards vs. Thomas P. Crosby, based on action, October 7, 1836.
- No. 44. Thomas Cayce vs. George Huff, based on action, March 2, 1835.
- No. 45. George B. McKinstry vs. T. F. L. Parrott and Elizabeth E., his wife, administrators of John Austin, based on cause, February 24, 1834.
- No. 48. J. A. E. Phelps vs. succession of S. Murphy, originated in alcalde court, Jurisdiction of Columbia, January 26, 1835.
- No. 49. Charles H. Burnet vs. W. T. Austin, originated in primary court, Jurisdiction of Columbia, January 26, 1835.
- No. 50. L. H. Peters vs. Robert Cochrane, originated in primary court, Jurisdiction of Columbia, June 10, 1835.
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- No. 64. Sylvester Bowen vs. Peyton R. Splane, originated in alcalde court, Jurisdiction of Brazoria, April 3, 1834.
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- No. 113. T. F. L. Parrott, administrator for D. W. Anthony, vs. John A. Wharton, administrator of O. H. Allen, Augustus Williams, and Thomas Cayce, based on cause, November 3, 1833.

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13. CIVIL CASES, 1835. 21 cases in 2 file boxes.

Papers of civil cases originating in the primary or alcalde courts prior to 1837, which were continued in the district court of Brazoria County. These cases were given numbers to conform with the filing system of the district court. Each case is filed in a separate container bearing the case number, name of plaintiff, and name of defendant. Filed numerically in file boxes marked Civil Cases, 1-100. Case numbers may be secured from the index prepared by the Historical Records Survey, which follows the list of cases. The numbers vary from the case numbers in Record (Final), 12. 10 $\frac{1}{2}$ x 4 $\frac{1}{2}$ x 15. D.C., office.

No. 2. J. W. E. Wallace vs. J. and D. Holderman, originated in primary court, Jurisdiction of Columbia, March 20, 1835.

No. 3. W. D. C. Hall vs. John Gates, originated in primary court, Jurisdiction of Columbia, April 24, 1835.

No. 4. J. W. E. Wallace vs. J. Holderman, originated in primary court, Jurisdiction of Columbia, April 27, 1835.

No. 12. G. McNeal vs. C. R. Patton, originated in primary court, Jurisdiction of Columbia, June 12, 1835.

No. 13. S. Marsh, administrator for Obidiah Pitts, vs. Elijah Caple, originated in primary court, Jurisdiction of Columbia, March 18, 1835.

No. 14. E. W. Gregory vs. A. Brigham, originated in primary court, Jurisdiction of Columbia, April 7, 1835.

No. 17. B. Whiting vs. Thomas Cayce, originated in primary court, Jurisdiction of Columbia, March 19, 1835.

No. 18. Sayre and Nixon vs. Asa Brigham, originated in primary court, Jurisdiction of Columbia, March 19, 1835.

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No. 28. R. Mills et al. vs. Robert D. Moore, originated in alcalde court, Jurisdiction of Columbia, May 21, 1835.

No. 33. A. J. Harris vs. Cage et al., based on judgment rendered in primary court, Jurisdiction of Columbia, March 1, 1835.

No. 44. G. Huff, curator of S. Sawyer vs. W. D. C. Hall and W. C. White, originated in primary court, Jurisdiction of Columbia, February 11, 1835.

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No. 84. Bennett and Sharp vs. Joshua Abbott, originated in primary court, Jurisdiction of Columbia, June 6, 1835.

No. 85. Charles H. Bennett vs. P. R. Splane, originated in primary court, Jurisdiction of Columbia, June 6, 1835.

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The following index, direct by name of plaintiff and reverse by name of defendant, has been prepared by the Historical Records Survey. Reference is to case number.

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Angier, Hall, and Bradley	1, 2	Bennett, Valentine	8
Angier, S.F.	1, 2, 6, 9, 10	Berry, Mandey	1, 2
Anthony, David W.	4, 8, 9, 10, 11	Berry, P.L.	6
12		Berry, Thomas	9
Archer, Branch T.	9, 10	Betner (Bettner), Charles A.	6, 8
Arnold, William	4	9, 10, 11	
Austin, Elizabeth E.	1, 2, 3	Betts, Jacob	8
Austin, Emily M.	1, 2	Biggam (Bigham), Francis	1, 2, 6, 9
Austin, Henry	1, 2, 8, 9, 10, 11	10	
Austin, John	1, 2, 4, 6, 8, 9, 10	Blake, Thomas M.	8
11, 12		Blakly, Nancy	6
Austin and McKinstry	6, 11	Bolivar, town of	11
Austin, Municipality of	6	Bond, Nicholas D.	11
Austin and Reynolds	9, 10, 11	Borden, Johnson, and Walker	1, 2
Austin and Roberts	10	Borden, Thomas A.	8
Austin, Stephen F.	1, 2, 4, 8, 9	Boseman, H.	9, 10
10, 11		Bostwick, John H.	11
Austin, William T.	1, 2, 4, 6, 8	Bowen, Almira	13
9, 10, 11, 12		Bowen and Byrom	12, 13
Ayres, David	12, 13	Bowen, Sylvester	3, 4, 6, 8, 9, 10
		12	
Babcock, Gardiner, and Co.	9, 10	Bowls, Sally M.	3
12		Boyce, Henry L.	11
Bailey, James Britton	1, 2, 4, 6	Boyce, Robert H.	8, 11
8, 9, 10		Boyce, Robert H. and Co.	8

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|-----------------------------|----------------------|-------------------------------|-----------------------|
| Bradley, Angier, and Hall | 1, 2 | Canady, see Kanaday | |
| Bradley, James | 9, 10 | Caple, Elijah | 1, 2, 6, 8, 9, 10, 12 |
| Bradley, Thomas H. | 6, 9 | | 13 |
| Bradly, see Bradley | | Carson, Catharine | 8 |
| Brazoria, Jurisdiction of | 7, 8 | Carson and Haley | 8, 9, 10, 11 |
| Brazoria, Municipality of | 11 | Carson, William C. | 1, 2, 9 |
| Brazoria, town of | 6, 11 | Carson, William H. | 8, 9, 11 |
| Breeding, David | 12 | Carter, Samuel | 1, 2 |
| Breedlove, A.W. | 6, 8, 9, 10, 11 | Carver, Martin | 6 |
| Breedlove, Susan G. | 8, 9, 10, 11 | Cavenah, Charles | 8 |
| Brenan, T.H. | 6 | Cayce, Thomas | 8, 9, 12, 13 |
| Brewster, Adam | 9 | Cazneau, William Leslie | 11 |
| Bridges, Margaret | 3 | Chadoine, see Chadwin | |
| Brigham, Asa | 1, 2, 4, 6, 8, 9, 10 | Chadwin, Thomas | 8 |
| | 11, 12, 13 | Chadwin, see Chadwin | |
| Brigham and Richardson | 9, 11 | Chaffin, John | 8, 9, 10, 11 |
| Briscoe, A. | 12 | Chambers and Lewis | 11 |
| Brown and Bennett | 6, 9, 10 | Chance, Samuel | 1, 2, 9 |
| Brown, Edmund | 8 | Chase, William W. | 9 |
| Brown, Henry S. | 3, 4, 6, 8, 9, 10 | Chephas, William (free negro) | 6 |
| | 11 | Clair, see Clare | |
| Brown, J. | 6, 11 | Clapp, William | 11 |
| Brown, Jeremiah | 9, 10, 11 | Clare, A.M. | 11 |
| Brown, Jesse | 9 | Clark and Fowler | 1, 2 |
| Brown, John | 1, 2, 6, 9, 11 | Clark, Gisson (Gissen) | 12 |
| Brown, Joseph | 8 | Cleveland, (Mrs. Milligan) | 10 |
| Brown, N. | 8, 11 | Cleveland, J.A.H. | 8, 9, 10, 12 |
| Brown, Smith, and McKinney | 9 | Cleveland, William | 9 |
| Brown, Smith, and McKinstry | 10 | Cloky, Robert | 9, 10 |
| Brown, William S. | 6, 8, 9, 10 | Closky, see Cloky | |
| Buckner, John W. | 9, 10, 12 | Cloud, John W. | 6, 8, 9 |
| Bullock, Captain | 4 | Coahuila and Texas, State of | 3, 4 |
| Bundick, M.H. | 9 | | 6, 8 |
| Burgess, J. | 6 | Cochrane, Robert | 9, 10, 12 |
| Burleson, Colonel Edward | 4 | Coldron, Robert | 8 |
| Burnap, A.L. | 6 | Coles, John P. | 1, 2, 11 |
| Burnet, Charles H. | 12 | Collinsworth, George M. | 8, 11 |
| Burnet, David G. | 1, 2, 9, 10 | Columbia, Jurisdiction of | 9, 10 |
| Butler, Anthony | 9 | Columbia, town of | 9, 10 |
| Byrom and Bowen | 12, 13 | Comet, Schooner | 6 |
| Byrom, John S.D. | 1, 2, 4, 6, 8, 9 | Copen, town of | 4 |
| | 10, 11 | Cotten (Cotton), Godwin Brown | 8, 11 |
| Caborn, Nathaniel | 11 | Council, James S. | 4, 6, 8, 9 |
| Cady, D.C. | 11 | Council, see Council | |
| Cage, B.F. | 9, 10, 11, 13 | Cowan, John B. | 3, 8, 9 |
| Calder, Robert J. | 11 | Cowan, Sarah Ann | 3 |
| Caldwell, James P. | 8, 11 | Cox, Christopher G. | 6, 8, 9, 10, 12 |
| Calvert, J.W. | 10 | Cox, Harriet | 3 |
| Calvit, Alexander | 6, 9, 10 | Cox, Harriet H. | 3 |
| Calvit, Frederick I. | 1, 2, 8 | Cox, John S. | 4 |
| Calvit, Mary Ann | 3 | Craft, S. (Samuel ?) | 6 |
| Campbell, John | 9, 10 | Crane, J. | 6 |
| | | Crosby, Thomas P. | 9, 12 |

Crunch, James	1, 2, 12	Fairchild, Philo	9
Cumming, William	1, 2	Fannin, Col. James W. Jr.	4, 11
Cummings, G.B.	9	Fields, James F.	1, 2, 9, 10
Cummins, James	11	Fields, Joseph E.	9, 10
Cunningham, K.C.	9, 10	Fisher, S. Rhodes	11
Curtis, Hinton	1, 2, 6	Fitchet, Daniel R.	9
		Forsyth, John	4
Dailey (Daily), William	8	Foster, John	8, 9, 10, 12
Damon, Samuel	8	Fowler, Benjamin	1, 2
Daniels, Edmund	8	Fowler and Clark	1, 2
Darst, Abram	4	Franklin, Benjamin C.	11
Davis, Elisha	9	Fream, William	8
Davis, Eliza	3	Freeman, George	11
Davis, Jesse K.	3	Freeman, R.T.	9
Davis, K.W.	1, 2	Fulcheare, Churchill	1, 2
Davis and Richardson	9, 13	Fulcheare, Treavy	1, 2
Deal, E.	9	Fuller, S.	8
Delgado, Juan Jose	5		
DeWitt, Green B.	4	Galleher, Edward	3
Dickinson, Edward	1, 2	Gardiner, Babcock, and Co.	9, 10, 12
Dillard, John P.	11	Gates, John	9, 10, 13
Dillard, N.	6	Gay, John J.	8
Dillard, Thomas	9, 10	Gay, Thomas	6, 9, 10
Dinsmore, Silas	8, 11	Gibson, Q.	6
Doan, J.	9, 10	Gibson, William	6, 9
Dodson, A.C.	9	Gillespie, John L.	9, 10
Donaho (Donahoe), Mortimor	9, 10	Gillet, S.S.	12
Donalson and Archer	9	Goodall, Seaborn	11
Donalson, Daniel T.	10	Gorbet, Chester	1, 2
Done, see Doan		Gorbet, Mrs. N.	6
Dougherty, J.	6	Gordon, Peletin W.	11
Douglas, Samuel C.	11	Graham, John	4
Duke, T.W.	1, 2	Grant, Hugo	5
Dunnahoe, see Donaho		Grant, Dr. James (Diego)	5
Dupuy, Pierre	4	Gray, Franklin C.	3, 9, 10, 11
Dwyer, C.	9	Grayson, Thomas W.	12
		Green, Patrick	6, 8, 9, 10
Early, J.S.	6	Gregory, E.W.	8, 9, 10, 11, 12, 13
Eaton, William J.	4, 9, 12	Grey, Thomas	1, 2
Eckel, William	1, 2	Griffith, H.	9, 10
Edwards, Amos	1, 2	Groce, Jared E.	3, 9
Edwards, Monroe	12	Groce, McKinney, and Co.	8
Edwards, William	9	Groce, Sneed E.	1, 2
Elam, D.	9, 10	Guarding and Co.	12
Eller, John	9	Guarlay and Jewett	5
Elliott, George	9, 11, 12		
Erwin, Thomas R.	3, 8, 9, 10	Hale, John	11
Estes, Anderson	9, 10	Hale, S.M.	10
Estes, Edward W.	3, 9	Hales, C.	9
Exert, Schooner	6	Hales, J.M.	9
		Haley and Carson	8, 9, 10, 11
Faddin, John	11	Haley, William	9, 10, 11
Faddin, Patrick	11	Haley and Williams	11

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|-----------------------------|-----------------------|-------------------------------------|----------------------|
| Hall, Angier, and Bradley | 1, 2 | Hodge, Alex (Alexander ?) | 3 |
| Hall, John M. | 9 | Hodge, Arche | 8, 9, 10 |
| Hall, John W. | 11 | Hodge, James | 3 |
| Hall, Joseph | 9 | Hodge, John | 6 |
| Hall, Thomas J. | 6, 10 | Hodge, Robert | 8, 9, 10 |
| Hall, Warren D.C. | 8, 9, 10, 11, 12, 13 | Hodge and Ross | 6 |
| Hall, William S. | 1, 2, 6, 10, 11, 12 | Hodge, Wm. S. | 9, 10 |
| Hamilton, Francis | 8 | Hoit, Samuel | 8, 11 |
| Hardin, William | 9 | Holderman, D. (David ?) | 13 |
| Harralson, G.S. | 6 | Holderman, J. (Jess ?) | 13 |
| Harrell, Josiah T. | 3, 8, 9, 10 | Holderman, J.D. | 12 |
| Harrington, N., Jr. | 10, 12 | Holmes, A.C. | 9 |
| Harrington, N., Sr. | 9 | Hood and Milton | 8 |
| Harris, A.C. | 9 | Hoppe, Joseph Bernard | 11 |
| Harris, Abner J. | 6, 10, 11, 12, 13 | Hornos, Hacienda de los | 5 |
| Harris, Elvia | 12 | Hoskins, F.I. | 9, 10 |
| Harris, Enoch | 8 | Hoskins, J.C. | 9 |
| Harris, Evelina | 12 | Howth and Stevinson | 8, 11 |
| Harris, Gowin | 6, 8, 9, 10, 11 | Howth, William E. | 8, 9 |
| Harris, Maria Ann | 12 | Howth and Williams | 8, 9, 10, 11 |
| Harris, Mary Ann | 12 | Huff, George | 8, 9, 10, 11, 12, 13 |
| Harris, Ruth | 12 | Huff, William P. | 12 |
| Harris, William P. | 1, 2, 6, 8, 9, 10, 11 | Hughes, James | 10 |
| Harrisburg, town of | 11 | Hughes, Peter M., see Hews | |
| Harrison, George | 1, 2, 4 | Hughes, and Waterman | 12 |
| Harvey, W. | 9 | Hunter, Ann C. | 3 |
| Haskins, see Hoskins | | Hunter, Ann Douglas | 11 |
| Hawkins, Edmund St. John | 4, 8, 9, 10 | Hunter, D.H. | 11 |
| Hawkins, G.A. | 1, 2 | Hushing (Hushum), Thomas | 6 |
| Hawkins, J.C. | 10 | Ingram, Ira | 8 |
| Hawkins, Joseph H. | 1, 2, 4 | Ingram, Seth | 11 |
| Hawks, Thomas I. | 11 | Jack, William H. | 8, 9, 10, 11, 12 |
| Haynes, Franklin | 9 | Jackson, alias Robertson, Charlotte | 8, 11 |
| Head, E.G. | 4 | Jacob, Ann R. | 3 |
| Heddy, Samuel | 9 | James, John | 3, 8, 9, 11 |
| Henderson and Hill | 9, 10, 12 | Jameson, Green B. | 4, 8, 11 |
| Henderson, Gov. J. Pinckney | 4 | Jameson, Isaac | 6, 8 |
| Hendrick, W.H. | 8 | Jameson, Margaret | 3, 8, 9, 10, 11 |
| Hendrick, W.S. | 9, 10 | Jameson, Thomas | 8 |
| Henry, Maurice | 4, 8, 9, 10, 11 | Jeffery (Jeffrey), Edmund | 1, 2, 6, 8, 9, 11 |
| Hensley, W. | 6 | Jewell, Benjamin | 9 |
| Hews, Peter M. | 8, 9 | Jewett, Diego | 5 |
| Hicks, Milton | 8 | Jewett and Guarlay | 5 |
| Higgins, James | 6 | Johnson, Francis W. | 11 |
| Hill and Henderson | 9, 10, 12 | Johnson and Stiffler | 9 |
| Hinch, Samuel | 3 | Johnson, T.W. | 10 |
| Hinds, Gerren | | Johnson, Walker, and Borden | 1, 2 |
| (Hines, Geron) | 8, 9, 10 | Johnston, S.M. | 9 |
| Hines, James | 11 | Jones, Anson | 9, 10 |

Jones, Henry	6	McCashin, John	11
Jones, J.	1, 2	McCasklin, John	9
Jones, John R.	9, 10, 11	McClellan, T.	9
Jones, Oliver	1, 2, 11	McCloskey, John	1, 2
Junker, Abraham	8	McClure, Robert	9
Jurisdiction of Brazoria	7, 8	McCormick, David	4, 8, 9, 10, 11
Kanaday, Margaret	3	McCormick, John	1, 2
Kanaday, Sally	6, 8, 10	McCracken, H.	9
Kanaday, Stanly	9	McCracken, John	9
Keep, Imla	1, 2	McCroskey, John	8, 11
Keller, John	10	McCroskey, Sally	11
Kelsey, L.	10	McDaniel, William	6
Kemp, Caleb	8, 11	McDonal, (?) W.	6
Kennedy, William	12	McFarlan, Aechilles	1, 2
Kerett, S.	1, 2	McGee, Joseph	11
Kigans, Sarah	3	McKinney, Benjamin	9
Kincaid, C.	9	McKinney, Brown, and Smith	9
Kinny, Lawrence Richard	9	McKinney, Groce, and Co.	8
Klonne, Henry	6, 8, 9, 10, 11	McKinney, Thomas F.	8, 9, 12
Knass, Charles	9, 10	McKinney and Williams	9, 10, 11, 12
Knight, James	1, 2	13	
Kyrkendall (Kuykendall), Zulema	3	McKinstry and Austin	6, 11
Lacy, William D.	11	McKinstry, Brown, and Smith	10
Lampkin and Stevenson	9	McKinstry, George B.	1, 2, 8, 9, 10
Lampkin, William	9, 10	11, 12	
Larrison, Allen	3, 8, 9, 10, 11	McKnight, William	11
Lawrence, Richard	6	McMahan, W.	11
League and Ainsworth	8, 11	McNeal, Greenville	3, 13
League, H.H.	8, 9, 10, 11	McNeel, John Gill	8, 9, 10
Lee, William H.	6, 8, 9, 11	McNeel, Mary	3
Lesassier, Luke	11	McNeel, Polly	9, 10
Lesassier and Williams	6	McNeel, Sterling	1, 2, 6, 9, 10
Lewis and Chambers	11	11, 12	
Lewis, Franklin	6	McNeel and Woodson	8, 9, 10, 11
Lewis, Ira R.	1, 2, 11	McNiel, Pickney S.	3
Lindsey, Benjamin	1, 2	Manson, Louis C.	8, 9, 10, 11
Lindsey, Lewis	4	Marion, town of	11
Lippencott, Elizabeth	8	Marsh, Shubael (Shubal)	1, 2, 6, 8
Little, William H.	8	9, 11, 12, 13	
Logan, Grandbury	9, 10	Marshall, Isaac	4, 8, 9
Long, James F.	1, 2, 10	Martin, E.H.	6
Long, Jane H.	6, 9, 10	Martin, Elizabeth	9, 10
Long, Mrs. Sam H.	9	Martin, Joseph S.	6, 8
Loper, Luke	11	Martin, Robert	4, 6, 8, 9
Lorrison, see Larrison		Martin, Thomas S.	8
Lovejoy, William	9, 10	Martin, Wyly	8, 9, 11, 12
Lucy (negro girl)	11	Matagorda, town of	4
Lynch, H.C.G.	9	Matamoros, town of	5
Lynch, James	3	Mather, Elisha	9, 10, 11
Lynch, N.	9, 10	Mather, W.E.	9, 10
Lyons and Company	8	Marey, Elisha	3
		May, Samuel	4, 6, 9, 10
		Meek, Jesse	9

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| Mexican Government | 1, 2 | Pantalian, Mr. | 9, 10 |
| Mier, Jose Maria | 5 | Parker, W. | 1, 2 |
| Milburn, David H. | 1, 2 | Parkins (Parking), Samuel | 4, 8, 9 |
| Miller, Thomas R. | 9, 10 | Parks, William | 11 |
| Millican, Andrew | 4, 9 | Parrott, Elizabeth E. | 8, 9, 12, 13 |
| Millican, John | 1, 2 | Parrott, T.F.L. | 3, 8, 9, 10, 11, 12 |
| Milligan, see Millican | | | 13 |
| Milligan, Mrs. | 9, 10 | Partin, John P. | 9 |
| Milligan, Daniel | 11 | Patton, Mrs. | 9, 10 |
| Mills, Andrew G. | 8, 9, 10, 11, 12 | Patton, Columbus R. | 9, 10, 12, 13 |
| Mills, Robert | 4, 8, 9, 10, 11, 12 | Patton, John D. | 12 |
| | 13 | Patton, Mathew C. | 9, 10 |
| Milton and Hood | 8 | Patton, William H. | 4, 8, 9, 10 |
| Mims, Joseph | 6, 8, 9, 10, 11 | Peeples, S.W. | 9, 10 |
| Minerva, Sloop | 4 | Penticost, George S. | 9 |
| Miro, Estavan | 4 | Perry, James F., Jr. | 1, 2, 8, 9 |
| Mitchell, Asa | 1, 2, 6, 8, 9, 10 | | 10, 12 |
| Moore, Francis | 1, 2, 8, 9, 10, 11 | Perry, James F., Sr. | 4 |
| Moore, James | 8 | Peters, L.H. | 8, 9, 10, 12 |
| Moore, John H. | 1, 2 | Peters, Samuel W. | 9 |
| Moore, John S. | 6 | Pettus, Edward L. | 9, 10 |
| Moore, Robert Dillon | 3, 8, 9, 10 | Pevehouse, Jacob | 9 |
| | 11, 13 | Peyton, Jonathan C. | 1, 2, 8, 9, 10 |
| Morse, Henry | 6 | | 11 |
| Moseley, R.J. | 6 | Pharr, Samuel | 6 |
| Muldoon, Father Michael | 4 | Phelps, James A.E. | 6, 9, 10, 11, 12 |
| Munson, H. W. | 11 | Philips, Sidney | 8 |
| Murphy, Samuel | 11 | Phillips, Zeno | 8, 9 |
| Murphy, Sylvester | 4, 9, 11, 12 | Phillisohn, Jacob | 6, 9 |
| Myrick, E.P. | 9 | Pickering, R. | 9 |
| Myrick, Naomie | 9 | Pickett, John J. | 4 |
| | | Piedras, Col. J. | 6 |
| Naylor, Henry | 4 | Pilgrim, T.J. | 6 |
| Nelson (negro boy) | 11 | Pitts, Mary Ann | 3 |
| Newell, John D. | 8, 9 | Pitts, Obidiah | 1, 2, 6, 8, 9, 11 |
| Nichols, Henry F. | 3 | | 13 |
| Nixon and Sayre | 6, 9, 10, 12, 13 | Pollard, Amos | 9, 10 |
| North America, Schooner | 11 | Polley (Polly), Joseph H. | 1, 2, 6 |
| Nugent, R.F. | 9, 10 | | 8, 9, 10, 12 |
| Nye, Seth | 10 | Pollock, Carile | 4 |
| | | Porter, B.A. | 4, 6, 8, 9, 10 |
| Ocean, Steamboat | 9, 10 | Porter, John M. | 4, 8, 9 |
| O'Connor, James | 9, 10 | Powel, see Powell | |
| O'Neal, John | 8 | Powell, Elizabeth | 8, 9, 10 |
| Organ, W. | 1, 2 | Powell, Joseph | 8 |
| Osborn (Osborne), John L. | 9, 10 | Powell, Peter | 8 |
| Osborn, Mariah H. | 3 | Powell, W.E. | 9 |
| Osborn, Nathaniel, see Caborn | | Prater, William | 1, 2 |
| Osborne, Thomas | 9, 10 | Price, John | 4 |
| | | Pugh, Spencer A. | 6 |
| Page, Joseph M. | 9, 10 | | |
| Page, William | 3, 9 | Rains, C.B. | 9, 10 |
| Palmer, Smith, and Co. | 9, 10, 12 | Ramsburgh, Jacob | 6 |
| | 13 | Ramsey, L. | 11 |

Ramsey, Sally	9	Scots, W.P.	8
Randon, David	8, 9, 10, 11	Scott, Caroline	3
Randon, John	4	Scott, Captain William P.	4
Rawls, Daniel	11	Selkirk, William	1, 2
Rector, Nancy C.	3	Settle, W.H.	8
Rector, S.M.	9	Shannon, Jacob	8
Reeding, R.L.	8	Sharp and Bennett	13
Reel, R.H.W.	8, 9, 10	Sharp, John	3, 9, 10, 11
Rees, Joseph	6, 8, 9, 10, 12	Shaw, George D.	11
Reynolds, Albert G.	4, 6	Shelby, David	1, 2, 6, 8
Reynolds and Austin	9, 10, 11	Shipman, John M.	6
Richardson and Brigham	9, 11	Shoon, E.D.	8
Richardson and Davis	9, 13	Shuler, Abram	11
Richardson, Stephen	1, 2, 9	Slayton, Robert G.	4
Richeson, Edwin	4, 6	Sledge, Samuel	4
Richeson, Stephen	8	Sledge, W.H.	8
Ripley, Phineas	9, 10, 11	Smith, Adam	9
Rivers, Mason D.	9	Smith and Bailey	9
Roberts, Andrew	1, 2, 6, 9	Smith, Benjamin F.	8, 9, 10, 11
Roberts and Austin	10	Smith, Brown, and McKinney	9
Roberts, William	1, 2, 9	Smith, Brown, and McKinstry	10
Robertson, A.	8	Smith, C.	1, 2
Robertson, Charles	6	Smith, C.C.	1, 2
Robertson (alias), Jackson,		Smith, Francis	6, 9
Charlotte	4, 6, 8, 11	Smith, George W.	4, 8, 11
Robertson, Edward	4, 6, 8, 11	Smith, Henry	1, 2, 6, 8, 9, 10, 11
Robinson, Andrew	3, 9, 10	Smith, Meriwether W.	8, 9, 10, 11
Robinson, F.	1, 2, 6		12
Robinson, George	1, 2, 8, 11	Smith, Palmer, and Co.	8, 9, 10, 12, 13
Robinson, William	9	Smith, Phineas	8, 9, 10, 11
Roddy, Ephram	11	Smith, Sally	3
Rolsey, L.	9	Smith, Thomas	10
Ross and Hodge	6	Smith, William	9, 11
Ross, W.M.	3	Smithers, L.	6, 10
Royall, Richard R.	11	Smithers, S.	9
Runnells, E.M.	9	Snider, A.	8
Russell, Alex	11	Spencer, O.H.	8, 11
Russell, William J.	8, 9, 10	Splane, Ann Douglas W.	8, 11
Rutherford and Company	8, 9, 10	Splane, Douglas C.	9
Rutherford, Wm. H.	8	Splane, Peyton R.	8, 9, 10, 11, 12
Ryan, Isaac	9		13
Sabetha (negro girl)	11	Splane, Thomas	9
Sampier, Joseph	4, 9	Stafford, William	8, 9
Sampier and Stevenson	9	Standeford, Elizabeth	3
Sampier, William	9	Stevenson, Robert	8, 9, 10
Sandes, William R.	3	Stevinson and Howth	8, 11
San Felipe de Austin (town)	11	Stevinson and Sampier	9
Santiago, Schooner	9	Stewart, Charles B.	6, 8
Sawyer, Samuel	4, 8, 9, 11, 12, 13	Stiff, Thomas R.	3
Sayre, Charles D.	1, 2, 8, 10, 11	Stiffler, Jacob	9, 10
Sayre and Nixon	6, 9, 10, 12, 13	Stiffler and Johnson	9
Scoby, Robert	4, 12	Stiles, William	9
		Stone, Ruben P.T.	8, 11

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|---|---------------------|------------------------------|---------------------|
| Stout, Owen H. | 9, 10 | Walker, Joseph | 9, 11 |
| Stratton, Ann Rebecca | 9 | Wallace, J.W.E. | 12, 13 |
| Stratton, Horace B. | 3, 4, 8 | Wallace, John Y. | 4 |
| Stratton, William | 9 | Wallach, William D. | 4 |
| Stringfellow, Susan | 3 | Waller, Edwin | 6, 8, 9, 10, 11, 12 |
| Stroder (Strother, Strowder),
Edmund | 4 | Wallis, John G., see Wallace | |
| Stroder (Strother, Strowder),
Jesse | 4, 11 | Waltman, Ann M. | 11 |
| Sutherland, John | 11 | Waltman, D.S. | 11 |
| Sweeney, John | 8, 9, 11 | Waltman, Samuel D. | 11 |
| Sweeney, William B. | 8, 9, 10, 11 | Ware, James | 1, 2, 9 |
| 12, 13 | | Warren, William | 12 |
| Swinny, see Sweeney | | Waterman and Hughes | 12 |
| | | Westall, Andrew | 9, 10 |
| | | Westall, Ann A. | 3 |
| | | Westall, James M. | 4, 8, 9, 10 |
| | | Westall, Thomas | 10 |
| Talbot, John | 8 | Westover, Captain | 11 |
| Talley, Davis | 1, 2, 9 | Wetherbay, Alvan | 8 |
| Tate, William | 11 | Wharton, John A. | 8, 9, 10, 11, 12 |
| Taylor, Jesse | 9, 10 | Wharton, Sarah Jane | 3 |
| Taylor, John B. | 9, 10 | Wharton, William H. | 9 |
| Taylor, Samuel | 9 | Wheeler, Abram | 11 |
| Tenneile, see Tennel | | Wheeler, G.B. | 11 |
| Tennel, Benjamin | 8, 9, 10 | White, Walter C. | 1, 2, 9, 10, 11 |
| Tennel, George | 1, 2, 8, 9, 10 | 12, 13 | |
| Texas, State of Coahuila and | 6 | Whitesides, George W. | 9, 10 |
| Thomas, John | 6, 8, 9, 10, 11, 12 | Whitesides, James | 9 |
| Thomas, L. | 6 | Whiting, B. | 13 |
| Thompson, Jesse | 8, 9 | Whiting, Samuel | 9, 10 |
| Thompson, William | 8 | Wient (Wiant), Elizabeth | 3 |
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