To the Honorable John Money
Chief Justice
County Austin

The petition of
Charles B Stewart Administrator of Estate Thomas Taylor
deceased Respectfully represents - That Thomas Taylor
in his life time. to wit in the year 1831 deposited for
Safe keeping in the office of the Alcalde of the then
Municipality of Austin Five several original title
bonds drawn by various individuals in favor of
him the said Taylor each for one half league of land
To Wit Titto Bond Benj Rigby half league
Do Do W C Clarke Do Do
Do Do D B McNealy Do Do
Do Do John Shannon Do Do
Do Do Owen Shannon Do Do
That these several bonds now remain in the office
of the County Clerk of Austin County, but not of
Record there inasmuch as the lands designated
in said bonds lie within the County of Montgomery
as also do the five several grantees and their successors
Your petitioner has applied for these several
bonds to the Clerk of Austin County D B Johnson Esq
Who refuses to give them up alledging that it is not
lawful for him so do so, Your petitioner has consul-
ted the District Judge and other high authorities who
advise him that these bonds under the law and of
right belong to the County Should have been transmitted
to the County in which the land lies, for the compli-
-ance with the law of Record. Your petitioner
prays your consideration of that part of the Law
Organizing County Courts, which says all titles liens
and Colors of Title shall be recorded in the Office of
the County Clerk in which County the land lies

which your petitioner and the high authorities before
referred to say & construe to mean the original liens title
&c- for it would be impossible to procure certified
copies by the Notaries to the original, and further
there is not law allowing the County Clerk of one
County to make a record of a title or Deed upon the
certified copy of the original, existing in another
County from under the hand of the County Clerk of
the same- It is evident to your petitioner that the
law requires a record, that a record can only be
made in the county where the land lies, that original
are required to obtain a record- and that
titles &c cannot belong to a county or place
where they do not make a record- Hence
to your petitioner it appears and he believes it
will appear to your Honor that these bonds
cannot belong to the County of Austin, that
the detention of the original by the clerk is not
only unnecessary but unlawful, that he
improperly a barrier to your petitioners duties
as administrator to have the law complied
with in recording the bonds in the County
where the land lies. And he further prays
that your Honor will consider the law and
by your right as administrator to all papers
belonging to the Estate of Thomas Taylor- and
cause the said five several bonds or as many
of them as may be found in the Office of the County
Clerk, to be delivered to your petitioner and for this
he as in duty bound will ever pray

this 15th Sept 1838

Thos O Flewellen
Administrator of Estate of
Thomas Taylor deceased