

Republic of Texas
County of Montgomery

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Be it remembered

that at the Spring term of the District Court which
was holden in and for the County of Montgomery
in the Republic of Texas - in the Year of our Lord
One thousand Eight hundred and thirty nine and
on the third day of said Court. which was the
twenty seventh day of March of said year -
the following proceeding and entry was had and
made in the Case of William McIntire against
John Mc Grahame for an assault and trespass
vi et armis -

Present the Hon. John T. Mills
Judge of Third Judicial District, Archibald
McNeil Sheriff of said County and W. B. Goodrich
Deputy Clerk of said Court for said County

William McIntire

vs
John Mc Grahame

} Assault & trespass
3 vi et armis

Continued to the next term

Republic of Texas
County of Montgomery

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District Court

Spring term A. D. 1840

Present the Hon. Anthony B. Shelby
Judge of the first Judicial District, Archibald
McNeil Sheriff of said County and Charles Stewart
Clerk of said Court for said County

When the following proceeding
was had in the Case of William McIntire
against John Mc Grahame for an assault &

William Mc Intire }
 vs } Assault & trespass
 John Mc Graham } with arms

Tuesday April 21. 1840 and second day of Spring term

On motion, and affidavit of Defendant, ordered that this suit be continued until next Court

Republic of Texas }
 County Montgomery } District Court
 County Montgomery Fall term AD 1840

Present the Hon Anthony NB
 Shelby Judge of the First Judicial District -
 Archibald Mc Neil Sheriff of said County and
 C. Stewart Clerk of said District Court for said
 County. When the following proceedings were had
 in the case of William Mc Intire against John
 Mc Graham for an assault and trespass
 with arms

William Mc Intire }
 vs } Assault & trespass
 John Mc Graham } with arms

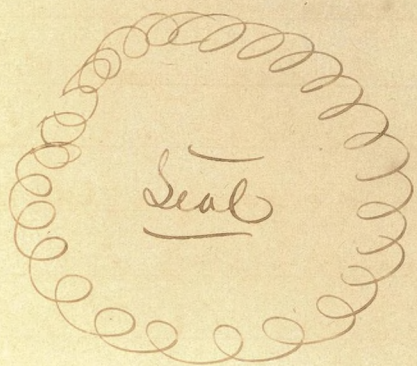
Tuesday Nov 24. 1840

This day
 Came the parties by their Counsel, and on motion
 of Counsel, and affidavit of Defendant, and
 it appearing to the satisfaction of the Court that
 a fair and impartial trial cannot by him be had
 in the County of Montgomery, It is ordered by the

Court with the consent of counsel that the
venue be changed to the County of Austin

Republic of Texas }
County of Montgomery } I, Charles Stewart Clerk
prothonary of the District Court
for the County of Montgomery. I hereby certify that
the foregoing is a full true and complete copy of all of
the proceedings had in the case of William Mc Intire
vs John M. Graham for an assault and trespass
with arms at the several terms of the District Court
for the County of Montgomery as therein stated in the years
1839 and 1840, and which appear of Record in
the Clerk's Office of said Court for said County.

And I herewith transmit to the Clerk
of the District ^{County} of the County of Austin all of the papers
belonging to said cause.



Given under my hand and private
seal having no seal of office this the
fifth day of March A.D. 1841
Charles Stewart Clerk
prothonary District Court
County Montgomery

And I further certify that at the Fall term of the
District Court of said County of Montgomery, the Court was adjourned
on the third day of the term by the Honble John T. Mills presiding
Judge, in consequence of indisposition as it appears entered
upon the minutes of the Court at said term, whereby no pro-
ceedings were had in above case of Mc Intire vs Graham

Charles Stewart Clerk prothonary
D.C. Mc C

List of Papers herewith sent to Clerk
of District Court Austin County

No 1. Original Petition

" 2. do Petition

" 3 Subpoena for James Keutschman & Jas O Quinn for Plff

" 4 Subp. for Celeia Bailey & Elijah Bailey for defendant

" 5 Subp for Torsten Robinson Lessee of land at self

" " " Blake Brantley John Brantley Rosana Brantley

" 6 Subp { Lessee of land at Brantley, Elijah Bailey }

" " " { Wm Brooks Rosana Brantley for defendant }

" 7 Subp - Elizabeth Kellogg for plff

" 8 Affidavit John M Graham

" 9 Affidavit (2) John M Graham

Christie Stewart &c &c

together with Bill of Costs at length

Sheriffs fees \$ 30.90 { as per bill of }

Clerks fees " 15.75 { Costs at length }

Wm McIntire

John M Graham

Bills of costs

Copy Petition Writ \$2.00

Docketing Cause of. 4 affidavits 1, 3 continuance 112. 2.37

filings of papers. 112. Inquest of change of venue 75. 1.88

5 subpoenas 15 witnesses 5.00

2 affidavits of - taking costs & copy 75. 2 motions 75. 1.75

copy of proceedings - 175 certificate and seal 50 2.25

\$15.25

Sheriffs fees -

Service on defendant 250. mileage 32 miles going & coming 160 4.10

Service on subps Hutchison & Quinn - mileage 3.40

Do do Celia & E Bailey & mileage 2.40

Do do Zoraster Robinson et al 5 miles 32 miles ea 10.50

Do do { Resubmitting 4/ Rosannabain Copy 1/ mileage 1.60 ea .4.70

Do do { Re-submitting copy 1/ mileage 1 ea .2.10

Do do { E Bailey personally 4/ mileage 1 ea .1.10

Do do { E Kellogg 4/ mileage 1 ea .2.10

\$30.90

clerk fees 15.25

Sheriff fees 30.90

\$46.15 No witnesses fees charged

verdict case now being finally decided
by Stewart

perpetual
monopoly

Last subpoena not changed now make 50 cents more

to clerk say 15.75 }
shff 30.90 } \$46.65

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thousand Eight hundred and thirty nine, and on the thir
day of said Court, on the twenty seventh March, of said Ye
the Case of William McIntire against John Mc Graham
for an Assault and trespass with arms,

Present the Hon

Anthony R. R. R.)

William Mc Intire

vs

John M Graham

for an

Assault & trespass with arms

Venue

Changed to Austin County

Montgomery County March 5th
1841

James B Stewart Clerk
protem. District Court