The State of Texas,
County of Galveston. Fall Term 18

To the District Court of the First Judicial District.

The Petition of John S. Roberts and Frederick J. Phillips of the county of Nacogdoches and State of Texas against Robert Moffitt of the county of Galveston and State of Texas respectfully represents:

That the said John S. Roberts and Frederick J. Phillips are the legal owners, in fee simple, of a certain tract or parcel of land situate lying and being in the city and county of Galveston and State of Texas aforesaid, designated, known and described in the plan of the said city of Galveston as lot number seven (7) in block number six hundred and eighty (680) which said lot or parcel of land is a portion of a league and labor of land situate on the east end of Galveston island, and relinquished and granted by the Republic of Texas to M B Menard on the 25th day of January 1838, and by said Menard deeded to the Galveston city company; and by said City company said lot was deeded to your Petitioners.

This Petition further represents that the said lot or parcel of land above described being so in the lawful possession and ownership of your Petitioners the said Robert Moffitt defendant, did on the — day of — 18 with force and arms, entered thereupon and dispossessed your Petitioners, and has ever since forcibly held and does now forcibly hold and retain the said lot, and refuses to yield the same to your Petitioners; and the said Robert Moffitt is also using and receiving the rents and profits arising from said lot, all of which is to the

damage of your Petitioners two thousand dollars and against the peace and dignity of the State of Texas.

Wherefore your Petitioners pray that the said Robert Moffitt be cited to appear before your honorable court and answer this Petition - that your Petitioners have the judgment and writ of your honorable court to restore them to the possession of their lot aforesaid - that they recover rents and profits and damages for the detention of their property; and costs: and your Petitioners pray for all relief to which they are in law entitled.

W. P Ballinger
Joseph L Sweet
Pet's Petitioners

I, Thomas F. McKinney hereby bind myself, my heirs &c for all costs that shall accrue in the prosecution of the within suit - Galveston Nov. 25. 1848

Thos F McKinney