

TREE TALK

Volume 48 Issue 2 Winter 2022—2023

Table of Contents

Editor's Letter	32
County Court Records of Cherokee County, Texas 1867-1869	33
Compiled by Ogreta W. Huttash	
CHEROKEE COUNTY GENEALOGICAL SOCIETY Publications	48
Order Form	51
Membership Application	52



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Editor's Letter



Mrs. Ogreta Huttash was a long-time member of the Cherokee County Genealogical Society. She was a homemaker and a member of DAR, DRT, a charter member of UDC, Magna Carta, AARP, the Cherokee County Historical Commission and the Ruth Class at Central Baptist Church. She was well-known as a tireless and meticulous researcher of family histories. She kept a copy of her research and frequently guided others in their research projects.

Her family has generously donated her research files and publication rights to her published and unpublished works to the Cherokee County Genealogical Society. The family research files have been cataloged and placed in the Genealogy Section of the Jacksonville Public Library.

Ogreta Wilson Huttash was deceased on November 3, 2007.

I recently was going through some old files and found "County Court Records of Cherokee County, Texas 1867-1959" which (to my knowledge) had never been published. They are now published beginning on page 33.

I hope you enjoy this issue of TREE TALK.

Gordon Bennett, Editor

County Court Records of Cherokee County, Texas 1867-1869

Compiled by Ogreta W. Huttash

OGRETA

COUNTY COURT RECORDS OF CHEROKEE COUNTY, TEXAS 1867-1869

This is the third item on microfilm 988057 and is the first part of the book called PROBATE MINUTES BOOK A - 1867-1881. Film shows this was a damaged book when filmed, but it is as easy to read as the book in the County Clerk's office at Rusk. This begins verbatim, then I summarize. Copied by Ogreta W. Huttash in January 1999.

Page 1

Monday 4 Feb 1867

Be it remembered that on Monday the 4th day of February A.D 1867 (being the first Monday in said Month) in conformity to an act passed by the last Legislature of Texas entitled "An Act to define, organize the County Courts, and to define the power and jurisdiction thereof." The first regular term of said court is begun and holden in and for the County of Cherokee at the court house in the town of Rusk, present and presiding Hon. James E. Dillard, Judge. John T. Murray, Esq., County Attorney, Patrick Henry, Sheriff, and William P Brittain also present.

The Court is opened by due proclamation of the Sheriff, who returns into Court the venire of jurors to him directed, with the following endorsement, to wit - "Executed by summoning all the within named jurors, except Joshua Holbert who is dead, and J. J. Phelps not to be found." The sheriff is ordered by the Court to summons two talesmen in place of said Holbert and Phelps, who turns the names of William Summers and Robert E. Clifton - thereupon the following persons duly qualify as jurors for the present term, to wit, J. J. Beaty, E. Peacock, George Gibson, C. H. Waites, G. W. Davis, John L. Williams, D. D. Fox, C. Odom, John T. Wiggins, Levi Medford, William Summers, R. E. Clifton.

The first six named to constitute Jury No. 1, the Court appointing George Gibson foreman, The remaining six to constitute Jury No. 2, John T. Wiggins foreman.

There being no further business before it, it is ordered that the Court be now adjourned until 8 o clock tomorrow morning.

Tuesday, 5th February 1867

The Court met according to adjournment - present as on yesterday.

No. 1

John R. VAughan vs Caroline E. Brewer: Now comes the plaintiff by attorneys and moved the Court for judgment by default against said defendant, and it appearing that she has been served with process and that she fails to appear and (illegible) but wholly makes default, It is thereby decreed by the Court No. 2 that said plaintiff Vaughan to have and recover of the

Page 2

(illegible) and forty-one dollars ninety three cents principal and interest at ten per cent per annum and all costs in this behalf expended, to be taxed for which execution may issue and that this judgment bear 10% interest until paid and that execution may issue against plaintiff for the costs incurred by him.

No. 2 Elizabeth Goodson vs L. H. Dover and Larkin Goodson:

County Court Records of Cherokee County, Texas 1867-1869

Now comes the plaintiff by attorneys and moves the Court for judgment by default against defendants, and it appearing that they have been duly served with process, and failing to appear and answer, It is therefore ordered, adjudged and decreed by the Court that said plaintiff Elizabeth Goodson do have and recover of said defendants L. H. Dover and Larkin Goodson the sum of one hundred and twenty dollars and twenty seven cents rincipal and interest at 8 % per annum and all costs in this behalf expended to be taxed, for which execution may issue.

No. 5 The State of Texas vs Jack Davis: Now comes defendant Jack Davis in to open Court and pleads guilty in manner and form as charged in bill of indictment and submits to Court to assess the fine, which is fixed at ten dollars.

It is therefore ordered, adjudged and decreed by the Court that the State of Texas do have and recover of said defendant the sum of ten dollars and all costs in this behalf expended to be taxed and it is further ordered that said defendant stand committed until the fine and costs are paid.

No. 3 State of Texas vs Jack Davis and D. H. Bell:

Jack Davis came to Court and plead guilty, waived a jury, asked Court to assess the fine which was set at five dollars. The other defendant Bell by attorney plead not guilty, jury of twelve men called, John T. Wiggins and 11 others. (illegible)

Page 3

submits to Court to assess his fine which was set at five cents.

No. 4 State of Texas vs Charley Rains: he pleads guilty and his fine is set at \$10.

No. 6 State of Texas vs William Doyle: Continued by consent.

No. 2 State of Texas vs J. R. L. Timmins: Continued for service.

No. 1 State of Texas vs J. W. Robinett: County Attorney who prosecutes for the State and defendant announce ready for trial, defendant pleads not guilty, jury called - John T. Wiggins and 11 others- cause continued.

Page 4

Tuesday 5 February 1867

No. 1 State of Texas vs J. W. Robinett: Defendant and sureties Joel Woodall and William C. Woodall acknowledge themselves indebted to State of Texas for \$300 to be levied on their property if he does not appear in Court first Monday in April. Charge was theft.

Minutes read and approved. Court adjourned. J. E. Dillard, County Judge.

Monday 1 April 1867

County Court Records of Cherokee County, Texas 1867-1869

Court met at Rusk, Judge J. E. Dillard, John T. Murray, Esq., County Attorney, Pat Henry, Sheriff, and William P. Brittain, County Clerk. Opened by proclamation by Sheriff- returned venire with following endorsement, to wit, by summons of following Jurors: R. C. Gossett and R. A. Stockton, R. H. Dement and W. L. Barnes excused for satisfactory reasons. Following qualified as Jury No. 1: R. Medford, N. S. Warren, R. Starkie, E. Odom, B. W. Ritchie, C. B. Harris.

Page 5

E. Odom appointed foreman. Sheriff summons 6 jurors: A. A. Barnes, Goodman Reynolds, T. L. Newman, W. L. Boykin, F. M. McElroy, Joseph T. Gibson-jury qualified and W. L. Boykin to be foreman.

No. 3 R. J. Ricketts vs E. G. Armstrong: Leave to plaintiff to amend.

Court adjourned till next morning.

Tuesday 2 April 1867

N. S. Warren and Joseph T. Gibson qualified as jurors on yesterday are excused from further service and Charles Mankin and P. P. Sugg qualify to supply their place.

No. 3 R. J. Ricketts vs E. G. Armstrong: Court on motion and affidavit of defendant to procure the testimony of F. M. Hicks.

No. 4 F. M. McElroy vs E. G. Armstrong: On motion J. M. Gibson intervenes and makes himself a party defendant.

Richard Chandler vs Thomas D. Campbell: Plaintiff asks for default judgment as defendant Campbell had been duly served and failed to appear - he was to recover the sum of \$202.60 principal and interest at 8%.

Page 6

No. 2 State of Texas vs J. R. L. Timmins: Continued by consent of parties.

No. 7 State of Texas vs John Hogg and E. H. Irving: defendants plead not guilty, jury called, E. L. Givens and 11 others and without leaving the box found E. H. Irving not guilty and to go hence without day. Alias capias issued to defendant Hogg.

No. 9 State of Texas vs William A. Joyce: County attorney enters a Nolle prosequia.

No. 21 State of Texas vs Abe Timmins, free man of color: defendant pleads guilty of battery. Jury with E. L. Givens as foreman assessed a fine of ten dollars plus costs, to stand committed until costs paid.

County Court Records of Cherokee County, Texas 1867-1869

No. 10 State of Texas vs Goodman Reynolds:

Page 7

Tuesday, 2 April 1867

Defendant pleads not guilty - jury called, W. L. Boykin and 11 others. Verdict was not guilty.

No. 1 State of Texas vs J. W. Robinett: Defendant pleads not guilty, jury called, W. L. Boykin and 11 others. Verdict was guilty, assessed a fine of \$5 and imprisonment for 12 hours. Court adjourned.

Wednesday 3 April 1867

No. 8 State of Texas vs R. H. Dement: Continued by the State

No. 12 State of Texas vs Ellen Roark: Continued for service

No. 16 State of Texas vs J. R. L. Timmins: Continued for service

Page 8

No. 13 State of Texas vs Elias Koher: Defendant pleads guilty, Court assessed a fine of \$60, committed until fine paid.

No. 14 State of Texas vs Elias Koher: County Attorney enters a nolle prosequia.

No. 15 State of Texas vs Elias Koher: County attorney enters a nolle prosequia.

No. 20 State of Texas vs Elias Koher: County Attorney enters a nolle prosequia.

No. 17 State of Texas vs J. R. L. Timmins: Continued for service

No. 18 State of Texas vs John Mitchell, fmc: Continued by the State and attachment for witnesses John Jenkins and William A. Jenkins.

No. 19 State of Texas vs J. R. L. Timmins: Continued for service

No. 22 State of Texas vs Neil Baxter: Defendant pleads not guilty - jury called - W. L. Boykin, foreman.

Page 9

Wednesday, 3 April 1867

Jury found Baxter not guilty, to go hence without day.

No. 23 State of Texas vs Ellen Baxter: pleads not guilty - jury called. W. L. Boykin foreman. Verdict was not guilty.

No. 6 State of Texas vs William Doyle: Cause continued on

County Court Records of Cherokee County, Texas 1867-1869

affidavit of defendant

No. 25 State of Texas vs J. R. L. Timmins: continued

No. 24 State of Texas vs W. T. Long: County Attorney issues nolle prosequi

No. 4 F. M. McElroy vs E. G. Armstrong: Motion to quash attachment on account of defective return, defendant excepts cause and continued by plaintiff.

JURY SERVICE PRESENT TERM		
R. Medford	3 days	T.L. Newman
R. Starkie	3 days	W. L. Boykin
E. Odom	3 days	F. M. McElroy
B. W. Ritchie	3 days	T. Holcomb
A. A. Barnes	3 days	E. L. Givens
Goodman Reynolds	3 days	P. P. Sugg
C. B. Harris	2 days	

Page 10

Wednesday, 3 April 1867

Minutes read - Court adjourned until next regular term.

3 June 1867

Court met. James E. Dillard, Judge; John T. Murray, Esq, County Attorney; Pat Henry, Sheriff; W. P. Brittain, Clerk. Within named jurors present except J. W. Wiggins, J. Fondren and T. Ball. These made default. J. S. Upchurch, William T. Templeton, John W. Goodwin, R. F. Irwin, W. W. Lewis and Harmon Winn and the following to wit, J. W. Duke, I. P. Langston and R. Medford appeared and upon being sworn to answer questions propounded in accordance with the military order of Gen. Griffin the Commander in Texas the two latter said that they cannot take the test oath and are discharged. J. W. Duke bore arms before he was a citizen but not since he has been a citizen - case left open for consideration.

Thereupon the following by-standers by order of the Court are summoned by the Sheriff to wit, H. Carlton, M. G. Hines, R. G. Hardy, R. B. Martin, John T. Aycock, Thomas Holcomb, William Doyle, Milton Burns, William Summers, R. B. Reagan, and William H. Hamil who being duly sworn each answers that he cannot take the said test oath and is discharged

Ordered by the Court that special venire issued to the Sheriff commanding him to summon an indefinite number of persons as jurors to appear at half after 8 o'clock Monday morning.

Page 11

Wednesday, 3 June 1867

There being no further business before the Court it is ordered that the same be adjourned to 8½ o'clock tomorrow morning.

Tuesday 4 June 1867

Court met - sheriff returned special venire on following

County Court Records of Cherokee County, Texas 1867-1869

persons to wit, William B. Glen, John A. Boyd, J? M. C. Brittain, H. H. Howard, D. P. Irby, John Newton, F. L. Williams, T. L. Philleo, J. J. Mallard, E. Roberts, J.C. Francis, Robert Parker, M. W. Farmer, who being severally duly sworn say they cannot take the test oath and are discharged.

No. 30 State of Texas vs W. A. Pope: Attorney enters a nolle prosequi.

No. 18 State of Texas vs John Mitchell: Attorney enters a nolle prosequi.

It appearing to the satisfaction of the Court that it is impossible to procure a jury of qualified men and all other business not requiring a Jury being disposed of it is ordered that the Court be adjourned to the next regular term in course. Minutes read and approved 4 June 1867.

Page 12

Monday, 5 August 1867

Court met - opened. Pat Henry, Sheriff; W. A. Jameson, deputy; On Sheriff's call these came out: A.S. Bell, J. R. Dalby-excused, W. S. Parker, Jacob Wells, W. T. Long and W. T. Hughes, All said they could not take the oath prescribed for the qualification of Jurors and are severally discharged.

No. 27 State of Texas vs James Manney: On motion of County Attorney it is ordered by the Court an attachment issue to the County in which she resides for the witness Kate Johnson, "Freed woman" -

No. 31 State of Texas vs John Clark: On motion of County Attorney it is ordered by the Court an attachment issue to the County in which they reside for the witnesses Lucinda Dunlap and Harriet Dunlap.

Court adjourned.

Tuesday, 6 August 1867

Court met according to adjournment as on yesterday.

Page 13

No. 2 State of Texas vs J. R. L. Timmins: Nolle prosequi issued by County Attorney and defendant is discharged.

No. 6 State of Texas vs William Doyle: nolle prosequi issued.

No. 7 State of Texas vs John Hogg: nolle prosequi issued

No. 8 State of Texas vs R. H. Dement: Continued

No. 11 State of Texas vs Samuel Decherd: nolle prosequi issued

No. 12 State of Texcas vs Ellen Roark: nolle prosequi issued

County Court Records of Cherokee County, Texas 1867-1869

No. 16 State of Texas vs J. R. L. Timmins: nolle prosequi issued

Page 14

Tuesday, 6 August 1867

N. 19 State of Texas vs J. R. L. Timmins: nolle prosequi issued
and defendant discharged

No. 26 State of Texas vs William T. Long: nolle prosequi issued

No. 25 State of Texas vs J. R. L. Timmins: nolle prosequi issued

No. 27 State of Texas vs James Manney, Senr.: Continued by State

No. 28 State of Texas vs Mary Manney: Continued by State

No. 29 State of Texas vs James Manney, Jr.: Continued by State

State of Texas vs John Clark: Continued by State

State of Texas vs George and Letha Anderson: Continued by State

Minutes read and approved and Court adjourned.

Page 15

Monday, 7 October 1867

Court opened by proclamation by Sheriff- Order of Gen. Griffin known as No. 13 having been superseded by the late order of Gen. Mauer in which he says in substance that all men are competent jurors who have taken the registry oath - it is therefore ordered that the Sheriff summon a special venire of 20 men who are duly qualified in all respects to attend half after 8 o'clock tomorrow morning for the present term.

Tuesday, 8 October 1867

Court met etc

No. 3 R. J. Ricketts vs E. G. Armstrong and J. M. Gibson: Leave granted for defendants to amend

No. 4 F. M. McElroy vs EG Armstrong: Leave granted defendant to amend.

N. 6 Hemlen & Rosser vs William G. Turner: Parties ready for trial - jury called- William Herndon and 5 others. Jury found for plaintiff \$176.83 principal and interest at 10% until paid.

Page 16

Tuesday, 8 October 1867

Plaintiff to receive payment as above.

Sheriff returns special venire:

Wyatt Garner

Thomas S. Townsend

William Herndon

John T. Wiggins

J. J. Mallard

John Newton

County Court Records of Cherokee County, Texas 1867-1869

P. P. Sugg
 Jos. T. Gibson
 L. R. Peacock
 The first six to be Jury No. 1, William Herndon foreman.
 Remaining six to be Jury No. 2, L. R. Peacock, foreman

J. E. Clark
 James Abbott
 Isaac Crawford

No. 3 R. J. Ricketts vs E. G. Armstrong and J. M. Gibson: Motion to quash against Armstrong - motion sustained and said defendant to recover of Ricketts all costs.

No. 4 F. M. McElroy vs E. G. Armstrong: Motion to quash against defendant - motion sustained - defendant to recover of said plaintiff McElroy and securities all costs.

Isaac Crawford is excused from further service on jury.

Page 17

Tuesday, October 8, 1867

N. 7 John G. Dillaha vs E. G. Armstrong and J. M. Gibson:
 Continued for service upon defendant Gibson

N. 8 State of Texas vs R. H. Dement: Court ordered attachment issue for witnesses John Holbert and Pope Monkers.

No. 27 State of Texas vs James Manney, Senr: Ready for trial. Jury found him guilty and charges of aggravated assault and battery sustained, and assessed his fine at one cent. William Herndon, foreman of jury.
 Court adjourned.

Wednesday, 9 October 1867

No. 6 Hemlin and Rosser vs William G. Turner: Motion for new trial granted.

Page 18

No. 29 State of Texas vs James Manney, Jr.: Defendant pleads guilty of simple assault, jury called - testimony heard - fined one cent and costs.

JURY SERVICE FOR PRESENT TERM

William Herndon	2 days	Isaac Crawford	1 day
John T. Wiggins	2 days	L. R. Peacock	2 days
Thomas S. Townsend	2 days	James Abbott	2 days
J. J. Mallard	2 days	Jos. T. Gibson	2 days
Wyatt Garner	2 days	James E. Clark	2 days
John Newton	2 days	R. G. Hardy	1 day
		P. P. Sugg	

No. 4 F. M. McElroy vs E. G. Armstrong: Motion for new trial argued by counsel - Court overruled

Minutes read and approved. Court adjourned to the next regular term in course.

County Court Records of Cherokee County, Texas 1867-1869

Page 19

Monday, 2d December 1867

Court met in court house in Town of Rusk. Present Hon. C. F. Jay, Judge; John T. Murray, Esq., County Attorney; Thomas J. Allen. Court opened by proclamation by Sheriff who returned venire: Isham Mullenix, N. Henderson, J. M. Henderson, C. G. Odom, W. W. Hatchett. Came not but wholly made default. Sheriff summoned a special venire of twelve:

Charles Mankin	James E. Walker	Davidson Todd
Larkin Goodson	H. M. Jarrett	C. C. Acker
G. W. Hardaway	W. R. Hardy	James E. Clark
C. S. Bolton	R. G. Hardy	J. W. McNeal

The six in two upper lines to be Jury No. 1 with C. C. Acker foreman; remaining six to be Jury No. 2 with W. R. Hardy foreman.

Elisha Mills summoned on the special venire as a juror being called comes not. It is ordered by the court that he be fined Two dollars. Remitted on Tuesday.

No. 3 R. J. Ricketts vs E. G. Armstrong and J. M. Gibson: plaintiff comes into Court and takes a non suit - defendants to recover of plaintiff and C. C. Francis and John L. Williams, his sureties, all costs etc.

N. 4 F. M. McElroy vs E. G. Armstrong: plaintiff comes into Court and takes a non suit - defendant to recover of plaintiff and J. P. Henry and J. W. Vining, his sureties, all costs etc.

Page 20

Monday, 2 December 1867

Hemler and Rosser vs William G. Turner: Plaintiff comes into Court and takes a nonsuit - defendant to recover of plaintiff John A. Hemler and John C. Rosser all costs etc.

John G. Dillaha vs Armstrong and Gibson: Continued for want of service.

Court adjourned.

//N.B. THERE ARE NO PAGE NUMBERS AFTER PAGE 20 IN THE BOOK BUT ARE CONTINUED HERE TO HELP IN CHECKING//

Tuesday, 3 December 1867

John Hauk, William S. Parks and J. J. Russell qualified as Jurors.

No. 4 State of Texas vs Robert H. Dement: Defendant pleads not guilty. Jury called, John Hauk and 11 others empannelled, sworn and charged. Jury could not reach a verdict - jury withdrawn - cause continued.

Court adjourned.

Wednesday, 4 December 1867

County Court Records of Cherokee County, Texas 1867-1869

Court met.

No. 35 State of Texas vs Sevier Box: Ready for trial - defendant pleads not guilty - jury called, C. C. Acker and 11 others. After hearing testimony, County Attorney abandons the case and by leave of the Court enters a nolle prosequi.

No. 36 State of Texas vs Isaac Byrd: Ready for trial - defendant pleads not guilty - jury called, C. C. Acker, foreman. Jury empanelled and found him not guilty.

No. 31 State of Texas vs John Clark: County attorney enters a nolle prosequi.

State of Texas vs Augustus Roach: Continued by agreement of counsel.

State of Texas vs Lucius Roach and others: Continued by agreement of counsel.

State of Texas vs Thomas Lindsey and D. Butler: Continued by agreement of counsel.

Page 22

Hemler and Rosser vs William G. Turner: non suit - defendant to recover costs.

No. 7 John G. Dilleha vs Armstrong and Gibson: continued.
Court adjourned.

Page 23

John Huk, William S. Parks, and J. J. Russell qualified as jurors.

State of Texas vs Robert H. Dement: Defendant pleads not guilty, jury called, John Hauk and 11 others. Jury drawn and cause continued.

C. S. Bolton and H. M. Jarratt discharged from jury service.

Page 24

No. 35 State of Texas vs Sevier Box: Defendant pleads not guilty - jury called, C. C. Acker and 11 others. Enters nolle prosequi.

No. 36 State of Texas vs Isaac Byrd: defendant pleads not guilty, jury called, found Byrd not guilty.

J. J. Mallard, B. Miller, and R.B. Reagan, Thomas S. Townsend, John A. Boyd, and Benjamin Morris qualified as Jurors.

N. 31 State of Texas vs John Clark: County Attorney enters nolle prosequi.

State of Texas vs Thomas Lindsey and Duane Butler: County Attorney enters a nolle prosequi.

County Court Records of Cherokee County, Texas 1867-1869

State of Texas vs Augustus Roach: Continued by agreement of counsel.

State of Texas vs Lucius Roach and others: Continued by agreement of counsel.

Page 25

No. 34 State of Texas vs Manuel Miller: Defendant pleads not guilty, jury called, found guilty and fined \$15 dollars and imprisoned 24 hours in county jail.

State of Texas vs George Anderson and Lethe Anderson: Continued for service as to Lethe Anderson.

State of Texas vs Turner Hathhorn: Continued -alias for defendant

No. 34 State of Texas vs Manuel Miller: State to recover \$15 and all costs.

No. 3 R. J. Ricketts vs Armstrong and Gibson: notice of appeal

No. 6 Hemler and Rosser vs William G. Turner: Notice for setting aside non suit overruled by Court - notice of appeal.

No. 34 State of Texas vs Manuel Miller: Defendant unable to pay fine and costs and to be committed to jail for 10 days.

Page 26

4 December 1867

JURY SERVICE FOR PRESENT TERM

Charles Mankin	3 days	C. C. Acker	3 days
James E. Walker	1 day	G. W. Hardaway	3 days
Davidson Todd	3 days	Jas. E. Clark	3 days
Larkin Goodson	1 day	C. S. Bolton	2 days
H. M. Jarratt	2 days	R. G. Hardy	3 days
W. R. Hardy	3 days	J. W. MacNeal	3 days
J. R. Russell	2 days		

Read and approved the minutes. C. F. Jay, County Judge, and Thomas J. Allen, Clerk.

Page 27

Monday, 3 February 1868

County Court met at Courthouse in town of Rusk, hon. C. F. Jay, County, Judge; John T. Murray, County Attorney; P. Williams, Sheriff; Thomas J. Allen, Clerk.

Jurors: M. C. Watters, James Guin, W. R. Hardy, James Thompson, L. G. Clark, H. Shroeder, W. P. Dobson, Joshua Hobbs, W. G. Duke and Levi Medford. First six to be Jury No. 1 with W. R. Hardy, foreman; remaining 4 to be Jury No. 2 with two more to be summoned.

No. 7 John G. Dillaha vs Armstrong and Gibson: continued for service.

County Court Records of Cherokee County, Texas 1867-1869

Tuesday, 4 February 1868
Court met as on yesterday.

Page 28

Smith Vangelder? and John King qualified as jurors.

No. 8 State of Texas vs R. H. Dement: Motion to quash indictment by exceptions filed by defendant. After argument by counsel, Court dismissed the case.

No. 40 State of Texas vs Nathan Meadow, fmc: Defendant pleads not guilty, jury assessed 10 days in county jail and fine of \$50. W. R. Hardy, foreman of jury.

No. 41 State of Texas vs C. C. Dover: Defendant pleads not guilty, jury called, George D. Neely and 11 others, found not guilty and defendant to go hence without day.

No. 43 State of Texas vs Richard Clark and Caroline Clark: Nolle prosequi entered as to Caroline Clark.

Page 29

Richard Clark pleads not guilty, jury called, found guilty and assessed a fine of \$5 and imprisonment in county jail until 8 o'clock tomorrow morning.

JURY SERVICE AT PRESENT TERM

M. C. Watters	2 days	W. G. Duke	2 days
L. G. Clark	1 day	Levi Medford	2 days
W. R. Hardy	2 days	Smith Vancindren??	1 day
James Thompson	2 days	John King	1 day
H. Schroeder	2 days	M. W. Farmer	1 day
W. P. Dobson	2 days	Jarrett Bolling	1 day
Joshua Hobbs	2 days	----- Moore	1 day
		G. D. Neely	1 day

Minutes approved and Court adjourned.

Page 30

Monday, 5 April 1868
Court met, Sheriff P. William to summon 12 for jury.

State of Texas vs Edmon Baxter (fmc) and Thomas Singletary: Recognizance. Defendant and Thomas Singletary, surety, acknowledge themselves indebted to State for \$100 jointly, that defendant appear in Court to answer charge of feeding and harboring two apprentices bound to Mary A. Hamilton named James Hamilton and Julia Hamilton.
Court adjourned.

Tuesday, 7 April 1868

No. 44 State of Texas vs Edmon Baxter and Thomas Singletary: the defendants are permitted to sever - motion to quash as to each defendant - motion sustained and defendants are discharged from further answering in the premises.

County Court Records of Cherokee County, Texas 1867-1869

Sheriff returns his special venire executed upon the following persons, to wit: William C. Collier, William Herndon, John Newton, Isaac Crawford, Wesley Johnson, Lewis Rogers, Jesse Mercer, D C. Skeeters, R. W. H. McMinn, B. F. Blankenship, Thomas S. Townsend, and James Erwin. First six to be Jury No. 1 with W. C. Collier foreman; others to be Jury No. 2 with (illegible) as foreman.

State of Texas vs Harriet Baxter: (illegible)
Jury found her not guilty.

Page 31

No. 7 John G. Dillaha vs E. G. Armstrong and J. M. Gibson:
continued for want of service.

Monday, 1 June 1868

Court opened by proclamation of Sheriff - no jury - no business-
Court adjourned.

Tuesday 2 June 1868

State of Texas vs J. L. Bass: cause continued upon affidavit of
defendant.

Page 32

No. 37 State of Texas vs Augustus Roach: Attorney enters a
nolle prosequi.

No. 38 State of Texas vs Lucius Roach and others: Attorney
enters a nolle prosequi.

No. 39 State of Texas vs Turner Hathhorn: Attorney enters a
nolle prosequi.

No. 42 State of Texas vs John J. Jones: Attorney enters a
nolle prosequi.

No. 45 State of Texas vs Levi C. Bishop: Attorney enters a
nolle prosequi

No. 46 State of Texas vs (blank) Taylor: Attorney enters a
nolle prosequi

Minutes read and approved. Court adjourned.

Monday, 3 August 1868

County court met in Rusk, C. F. Jay, County Judge; Thomas
Claiborn, Sheriff; M. Priest, County Attorney, and Thomas J.
Allen, Clerk.

No business - no jury had been summoned.

John G. Dillaha vs Armstrong and Gibson: Alias citation for
defendant Gibson and cause continued.

Tuesday, 4 August 1868

County Court Records of Cherokee County, Texas 1867-1869

No. 47 State of Texas vs J. L. Bass: continued by defendant

Monday, 5 October 1868

County Court met at Rusk. Same officers.

No. 7 John G. Dillha vs Armstrong and Gibson: Case dismissed for want of prosecution so E. G. Armstrong and James M. Gibson to recover of Dilleha all costs in this behalf expended. Plaintiff has leave to withdraw his papers in this cause filed.

Page 34

6 October 1868

State of Texas vs J. L. Bass: defendant discharged from further answering herein.

William Mansel, Successor to Gregg and Mansel vs William A. Jameson: Defendant makes default. Mansel to receive \$479.57 principal and interest and costs.

Minutes read and approved. Court adjourned.

Monday, 5 April 1869

Court met in town of Rusk. Hon. C. F. Jay, Judge; Thomas Claiborne, Sheriff; Jeff Shook, County Attorney; Thomas J. Allen, Clerk. Court opened by proclamation. No business before sit and adjourned.

Page 35

Tuesday, 6 April 1869

State of Texas vs Jos. Turney: Sureties W. M. Waddell and Jeremiah Murphy. Turney makes default.

William G. Duke, deputy sheriff, mentioned. Bond for \$100 forfeited. Turney to show cause for not appearing.

Monday, 2 August 1869

County Court met in town of Rusk. C. F. Jay, Judge; T. J. Allen, Clerk; T. C. Claibourne, Sheriff. Judge and county attorney absent. Court adjourned.

Tuesday, 3 August 1869

Judge C. F. Jay, T. J. Allen, Clerk; T. C. Claibourne, Sheriff; and Jeff Shook, County Attorney, present.

No. 9 William M. Waddell vs William Herndon: by agreement of parties this cause set for trial on Thursday morning 9 o'clock.

Wednesday, 4 August 1869

Court met then adjourned till tomorrow.

Page 36

Thursday, 5 August 1869

William W. Waddell vs William Herndon: Defendant moves for a rule against plaintiff requiring him to give security for the costs in this cause - motion sustained by Court. Plaintiff by his attorney who assented. Cause continued.

Court adjourned.

County Court Records of Cherokee County, Texas 1867-1869

Monday, 4 October 1869

Court met in town of Rusk. C. F. Jay, Judge; Thomas Claibourne, Sheriff, and Thomas J. Allen, Clerk. Sheriff ordered to summon special jury, venire returned: A.A. Coupland, William Giffen, T. H. Singletary, Richard Ellis, Larkin Goodson, and B. F. Ratcliff.

No. 9 William M. Waddell vs William Herndon: At trial, jury of 6 men above named heard the evidence and found for the defendant. William Giffen, foreman of jury. Waddell's security was William P. Brittain.

Page 37

No. 9 William Waddell vs William Herndon: Motion for a new trial for the reasons therein stated considered and over ruled. Plaintiff gives notice of an appeal to District Court.

Minutes approved. Court adjourned.

C. F. Jay, Judge.

.....
Probate Minute Book A for 1867-1881, Roll 25, is the next item.

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