

**HEARTMAN COLLECTION**  
**TEXAS SLAVE TRADE DOCUMENTS**

**BOX 4**

**FOLIO 4**

**ITEM 1**

**TEXAS SOUTHERN UNIVERSITY**  
**HOUSTON, TEXAS**

---

Sale of 56 SLAVES

J. L. DARRAGH,  
Conveyancer & Real Estate Broker.

STATE OF TEXAS,  
COUNTY OF GALVESTON.

This Agreement, made and entered into on this the first day of April A. D. in the year of our Lord one thousand eight hundred and fifty four between William Maner of the said State of Texas and of the County of Brazoria of the first part, and John L. Darragh Trustee, of the second part, of Galveston County,

Witnesseth, That whereas the said William Maner is justly indebted to

in the sum of Twenty thousand four hundred Dollars to Richard B.

Preswell, Edward Cole and Michael H. Messer, trading under the firm of Preswell, Cole & Co. by his certain Note of hand bearing even date herewith and payable Twelve months after date, the said Note is bearing twelve per cent interest per annum after maturity until paid and is payable in the City of Houston at the office of the said Preswell, Cole & Co.

The payment of said Note when due, the said William Maner

desires to assure and secure honestly and without defalcation; Now for and in consideration of the premises, and the sum of less Dollars, to him heretofore William Maner

in hand paid by the said John L. Darragh

the receipt whereof is hereby acknowledged, have bargained, granted and sold, and by these presents do grant, bargain, sell and convey unto the said John L. Darragh

his and assigns forever, the following described Negroes to wit:

- Cassie, Daniel
  - Parsona, Stephen, Mary, Manint, Jce, Isaac, Ben,
  - Anthony a Carpenter, Cornelia, Marjica, Martha and her three
  - children to wit Rose, Susan, Betsy, Eligah, Tady, Jordan
  - Annah, Jim, Mary, Ammandu & her two children to wit
  - William & Cora, John, George, Fred, Elizabeth, Pade
  - and her two children to wit: Frank & Susan, Sally, Mary Ann,
  - Violet and her three children to wit George, Harriet & Infant,
  - Grace & her four children to wit Milton, Sam, Clay & Infant,
  - Moses, Betty, George, Violet, Charity, Ralph, William, Rachel
  - and her 2 children, Preswell, Andrew, Preswell & George
- in all fifty six slaves

To have and to hold the said decedent property, as set forth in the said Trust Deed, to the said John M. Mason his heirs and assigns, forth. Upon trust nevertheless, and upon the following condition, that is, if the said John M. Mason to fail at maturity without default, then this Instrument of Trust shall cease, determine, and become null and void; But if the said John M. Mason to any part of it.

shall be and remain unpaid at maturity, or when the same is due, then and in such event it shall and is hereby made the duty of the said John M. Mason Trustee as aforesaid, at the request or desire of the holder or holders of said Notes to sell the said property herein before devised and hereby conveyed in trust, at public auction, for cash, to the highest bidder, having given first thirty days notice of the time and place of sale in one of the newspapers of the city of Galveston, and out of the proceeds arising from such sale, the Trustee shall deduct therefrom a sum sufficient to pay all the expenses of this Trust, five per cent. on the amount of sale for commission to the Trustee, and with the balance of the proceeds of sale shall pay the said Notes and the balances of any Notes he may have paid or to be paid to the said Mellon Mason or his heirs or assigns.

And it is further distinctly understood and agreed by the said parties that the said Mellon Mason agrees to give up quiet and peaceful possession of the said decedent property when requested to do so by the purchaser or Trustee, after the Notes have been paid and a certificate of sale.

In case of the death, refusal, or any other inability of the said Trustee to act, then the holder of said Notes is hereby authorized and required to appoint another Trustee to act, and the acts of such person so appointed shall be as binding as though the same had been done and performed by the original trustee, John M. Mason.

In Witness Whereof, the parties hereto subscribe their names and affix their (Print) Names this day and date above written.

John M. Mason *J.M.*  
John M. Mason *J.M.*

THE STATE OF TEXAS,  
 COUNTY OF GALVESTON.

Before me, W. F. Smith,  
 a Notary Public in and for the County of Galveston, duly commissioned and sworn,  
 personally appeared John M. Mason this day,  
 to me known, who acknowledged the within Trust Deed or instrument of writing, bearing date on the  
first day of April A. D. 1854 to be his act and deed  
 for the purposes and considerations therein set forth.

To Certify which, I hereto subscribe my name and  
 affix my seal of office, at the City of Galveston, this  
eight day of June 1854

W. F. Smith  
Notary Public

Chas. D. Co.  
Genl. S. Brown

Mr. Brown's Manager et al.

Seed of Truck.

Filed June 26 1854

M. Moore Clerk  
D.C. S.C.

Order for Recital this  
10<sup>th</sup> day of June 1854  
at 4 O'clock P.M.,

Chas. D. Co.  
Chas. D. Co. P. O.  
By James H. Hester

Received by me this  
15<sup>th</sup> day of June 1854  
at 8 O'clock in P.M. for  
\$ 500.00  
Money my hand and  
affidavit true this 19<sup>th</sup>  
June 1854

Chas. D. Co.  
Chas. D. Co. P. O.  
By  
James H. Hester

June 1, 90

**HEARTMAN COLLECTION  
TEXAS SLAVE TRADE DOCUMENTS**

**BOX 4**

**FOLIO 4**

**ITEM 2**

**TEXAS SOUTHERN UNIVERSITY  
HOUSTON, TEXAS**

District Court - Galveston County

Charles S. Swan

vs  
William Mann & others

Galveston County Pt. Orange

Swan being duly sworn says, that at the time of the negotiation with Josiah Hill & Co for the note & deed of Trust made on in this cause & previous to its transfer by said Josiah Hill & Co he deponent heard that a deed of Trust had been previously executed by said Mann acting as trustee for Rachel Mann his wife & his children on some of the negroes included in the deed of Trust in this suit - that fearing that there might be some question as to the title to said slaves, he went to said Mann to inquire as to the title - that said Mann specifically told him that the title to said slaves was in him & that it was all a pretence or words to that effect that said Rachel Mann had any separate property in said slaves, and claimed the full right to mortgage & hypothecate said slaves & assured this deponent there was no defect of title - and deponent says he relied on said assurance & would not have had any thing to do with said note or deed of Trust had he known that what said Mann has stated in his Cross Petition filed in the name of himself & wife in this Court was true.

Sworn to in open Court }  
 January 9<sup>th</sup> 1857 - }  
 Wm Morelett }  
 Deft. }

Orange Swan

Filed January 5, 1857  
Symonck  
depos