

Borden
1847

State of Texas }
 County of Galveston }
 District Court } Spring Term
 1847.

To The Honorable the
 Judge of the first Judicial District including the
 County aforesaid

The Petitioners of the Stockholders
 in the Galveston City Company duly incorporated
 by a public act of the Congress of the Republic
 of Texas, respectfully represent, that on or
 about the second day of January, one thousand
 eight hundred and forty one Charles B.
 Hammond purchased of Gail Borden Jr
 acting by and on behalf of your Petitioners
 Lot number one (1) in Block Four hundred -
 and thirty two (432) as designated on Map or
 plan of Galveston City - For the sum of six
 hundred dollars, and as evidence of said sale
 the said Gail Borden Jr as such agent executed
 to the said Charles B. Hammond a Certificate
 of the said sale and that in, and by the said
 Certificate a lien was retained for the purchase
 money of said lot and the purchaser was
 entitled to receive a Deed only, in compliance
 with the terms of sale -

That to secure the said purchase
 money, the said Charles B. Hammond made
 and executed his three several promissory
 notes dated the sixth day of January, one thousand
 eight hundred and forty one, each for the sum of
 one hundred and eighty dollars - cents, and
 by the first of which the said Charles B. Hammond
 promised to pay on or before the first day of January
 one thousand eight hundred and forty one, to the said Gail Borden
 Jr. agent of the Galveston City Company -

The sum of one hundred and eighty dollars
— Cents payable in the City of Galveston
^{the highest legal interest thereon not exceeding}
with interest at the rate of ten per Centum per
annum from the first day of January one thousand
eight hundred and forty if not paid at maturity
for value received. And by the second of said
notes dated the said sixth day of January
one thousand eight hundred and forty. The
said Charles B. Hammond promised to pay
Gail Borden Es. agent of the Galveston City
Company on or before the first day of January
one thousand eight hundred and forty two
the sum of one hundred and eighty dollars

— Cents payable in the City of Galveston with
^{the highest legal} interest thereon ^{not exceeding} at the rate of ten per Cent per
annum from the first day of January one
thousand eight hundred and forty if not
paid at maturity for value received. And by
the third note dated the said sixth day of January
one thousand eight hundred and forty. The
said Charles B. Hammond promised to pay
on or before the first day of January one thousand
eight hundred and forty three to the said Gail
Borden Es agent for the Galveston City Company
the sum of one hundred and eighty dollars

— Cents payable in the City of Galveston
^{the highest legal} with interest thereon ^{not exceeding} at the rate of ten per
Centum per annum from the first day of January
one thousand eight hundred and forty if not
paid at maturity for value received — —

} And your Petitioners aver that
the said Gail Borden Es acted in the premises
merely as the agent of your Petitioners. That
the said notes, though the same and such

of them had been due for a long time. yet
to pay the same or either of them or any part
thereof the said Charles B. Hammond hath
hitherto wholly neglected & refused, and still
doth neglect and refuse although often
requested so to do - To the damage of your
Petitioners, of one thousand dollars. - - -

And your Petitioners further
shew that the said Charles B. Hammond
having never paid the purchase money has
never received a Deed for said lot, but the
said Certificate is still outstanding - - -

Your
Petitioners therefore pray Judgment for the
Amount due on the said notes, and that the
lien of your Petitioners upon the said lot
be foreclosed and that the said lot be sold
to satisfy the claim of your Petitioners.

And your Petitioners further shew that
the said Charles B. Hammond is not an
inhabitant of the state of Texas and is
absent therefrom.

And they pray process and
as in duty bound will ever pray

James S. Butler
John B. Sneyd
Attys for Petrs

Gail Bordin is agent of the Galveston City
Company being duly affirmed doth depose
and say that Charles B. Hammond to the
best of this deponents knowledge information
and belief is not an inhabitant of the state of Texas
and is absent therefrom

Subscribed & sworn to this 4th day
of March 1867, before me, J. W. Moore
Clerk D.C. 56

J. Bordin

~~#198~~ 71.

District Court

Galveston County

Galveston City Co

vs
Charles B. Hammond

Petition

Butter
&
Jones
Attys

Filed March 4th 1847.

Citation issued same day.

J. Moore clerk

Docketing	15
Citation	50
Filing paper	10
Default	50
Cont	60
Dismissal	50
Taking costs	25
Record	1.50
	<hr/> 4.10
Jury tax	3.00
Shff	1.00
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