

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 Petition 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 Twenty fifth day of October, one
thousand eight hundred and thirty nine
Gail Borden & acting by and on behalf of the
Galveston City Company Co. sold William
B. Nicholas, for and in the name of Jacob
Brown Lots numbers, Eight nine, and Ten,
(8, 9, 10) in Block number seventy nine (79) as
designated on Map or plan of Galveston City,
for the sum of, Nine hundred and seventy five
dollars - seventy five dollars of which was paid
at the time of purchase, to wit, on or about the
Twenty fifth day of October, one thousand eight
hundred and thirty nine, that as evidence of
said sale the said City Company by Gail
Borden & their agent issued a Certificate for
the lots purchased by the said William B. Nichols
in the name of the said Jacob Brown, that in and
by the said Certificate, and according to the express
terms, tenor, and effect thereof, a lien was
retained by the said Company upon the Lots
and premises so sold, for the payment of the
note hereinafter described, as by reference to said
Certificate will more fully and at large appear,
and which said lien your Petitioners insist
was in the nature of a Mortgage upon all the
lots and premises hereinbefore mentioned and
described, that to secure the said balance of
purchase money, the said William B. Nichols
made and executed his certain promissory
note, dated the said Twenty fifth day of October
one thousand eight hundred and thirty nine
for the sum of Nine hundred dollars by which
he the said William B. Nichols promised to pay
on or before the first day of October -

2 1 One thousand eight hundred and forty one
2 to the said Gail Borden Jr agent of the Galveston
3 City Company the sum of nine hundred dollars
4 payable in the City of Galveston with interest
5 thereon at the rate of ten per centum per annum
6 after maturity, until paid, for value received
7 And your Petitioners further shew
8 into your Honor that there has been but one
9 payment made on said note promissory note
10 which payment was indorsed on said note in
11 the words and figures following to wit, October 2^d
12 1843. Received on the within note (\$120) by the
13 surrender of Lots

Your Petitioners therefore
pray Judgment for the amount so due upon
the said promissory note with the interest thereon
and the cost of this suit, and also that the said
premises hereinbefore mentioned and described
be sold under the directions of this Honorable
Court to satisfy the demand of your Petitioners
and that summons for the said William B.
Nichols and ~~and~~ the said Jacob Brown, issue
requiring the said Defendants to ~~be~~ appear
at the next Term of this Honorable Court to be
held in and for the County of Galveston to
answer the Complaint of your Petitioners.

John B. Jones
James Butler
Pet

we acknowledge service of the above
Petition waive process of summary
& consent that it be placed on the
docket at the present term. & a decree
of the Court be entered at this term as
prayed in Petition May 5th 1847.

Wm B Nichols

Jacob Brown

Esq.

Wm B Nichols
his Attorney

~~237~~ ~~136~~ ~~95~~
96.
District Court
Galveston County
Galveston City Co
v
William B. Nichols &
Jacob Brown
Petition

Filed May 24. 1847 -
J. M. Moore clerk

Copy 754 -

We the Jury find for the Plaintiffs against the
Defendant William B. Nichols for the sum of
Seven hundred and eighty dollars (\$780-) Debt,
and Six hundred and fifty four dollars and twelve
cents (\$644.12) Interest, and we find that the said
Debt and Interest are a lien upon the Lots mentioned
in the Plaintiffs petition -

J. P. A. Leonard

Foreman