

~~Proctor~~ ~~attorney~~ ~~general~~ ~~to~~ ~~the~~ ~~collection~~ ~~of~~ ~~claims~~ ~~in~~ ~~Western~~ ~~Carolina~~

~~J. HENRY,~~  
Attorney at Law,  
~~Solicitor in Equity.~~

ASHEVILLE, N. C. 24<sup>th</sup> June 1868

My dear Sir,

Since I came home, I have thought much of your proposition, to hold no courts for the trial of civil causes until next Spring. - It seems to be generally acceptable and in my opinion the people and the Bar would be entirely satisfied with courts of Oyer & Terminer <sup>only</sup>. I do hope you will have the bill passed. Please comment Burwison & other attorneys in the legislature in after

since to the time of holding  
courts on the 11<sup>th</sup> Judicial  
District, before it is incorporated in the

Code  
I saw all we to know  
(as matters now stand) what  
crimes are indictable before  
the court on the full circuit  
i.e. such only as the punish-

ment will amount to  
a fine of \$50 or one month's  
imprisonment." Const. Sec. 15. Chap

And please tell me your  
idea of Sec. 28. "Crimes always  
open" I am just getting  
through a siege of this one  
week long.

And further, about the  
intermarriage of whites &  
negroes,

The Statute (if it now  
exists (old law) forbids it.

Do you regard it as  
abolished as "in conflict

with the new Constitution?"

There are several of these  
"Indictments" on our dock  
- etc. both against the justice  
and the officiating minister  
or other officer - How  
shall you dispose of sim-  
ilar cases?

I write you freely. You  
"were in at the making"  
of the Constitution and  
perhaps understood  
the intention better than  
any one else.

Please answer me the  
desired information together  
with such other hints as  
may occur to you (concer-  
ning the Case & Rules of Prac-  
tice which you are now working  
on) as advisable or practica-  
ble, in the absence of the  
forthcoming instructions.

on our Fall cruise

I have very truly  
your friend  
Ed. W. Wain

How A. W. Sawyer  
Raleigh  
N.C.

Ed. W. Wain  
& family

CHAUTAUQUA COUNTY NY HISTORICAL SOCIETY 2013