

Hillsborough 24<sup>th</sup> July 1869

Hon A W Saurcey  
Judge & Judicial Assistant

My dear Sir

Your favor was received this morning! and in answer! to the case to which you refer. I understand the facts to be as follows: At Spring Term 1867 of our Superior Court; a judgment was taken in favor of Samuel Thompson executor of Josiah Thompson dec<sup>d</sup> Against James C Turrentine & George Caley as his Security. A Fifea was issued to Fall Term 1867 and I personally put the Fifea in the Sheriff's hands and ordered him to make the money. When John A Turrentine Son of the defendant came forward and paid the money and released said Caley and had the judgment assigned to him! The Fifea was levied on the property sold and returned to Fall Term 1867 and a Ven 4 was issued and regularly reissued up to the time of sale made by the present Sheriff in the mean time John A Turrentine the real owner of the judgment went in to Bankruptcy; and John W Graham & John W Nowell was appointed his assignees; and the Sheriff was ordered by the assignees to sell the property alluded to; for the benefit of his creditors the assignees insisted upon the Sheriff's selling to try the question whether the defendant in such case was

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entitled to a homestead on the day  
advertised for the sale the Sheriff was  
told that an order for an injunction  
had been obtained; and did not  
intend to sell: he was afterwards on the  
same day informed that the defendant  
had failed to get up a satisfactory bond  
agreeable to the Judges order; and that  
the injunction matter was at an end  
and no application was made to the  
Clerk for an injunction; I know  
further that the Sheriff was advised by  
his official Counsel to sell the  
injunction being dropped and out  
of the way; that there was a real  
question of law involved and the sale  
being made in good faith: to try the  
question; no harm could be done to  
the defendant as he was still in possession  
and a new action must necessarily  
be commenced to try the question of  
title &c

Please accept my best wishes for your  
Peace happiness and prosperity

Truly yours  
Geo. H. Carter

Geo Lewis

letter

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