

Judge Touque

dear, Dear Sir

To day for the first time I have read an answer put in by Harriet Barbree in a case in Orange between Wiley Barbree's estate and Hugh B. Zetler Harriet Barbree & others.

That answer asserts that I as guardian of W. T. & Robt. Bengrove advised the Sheriff of Orange to sell the 200 acres of land given by Wiley Barbree to her by deed before his death. It does not assert this upon information & belief - but roundly, as a fact.

I have just perused the answer, and it is utterly untrue in every particular - I mean as regards any part taken therein by me.

I express a genuine indignation
about it. It is so utterly untrue;
& unlike any thing I have done.

I was not an adviser of the Sheriff,
or of the Public Treasurer - either of-
ficially or as a volunteer. I took no
part in saying what should or should
not be sold. The only part taken by
me was opposed to what was done -
so far I mean as the action of the
Sheriff went in selling Dr Barber's
land for all the debts instead of
making it in part out of some
other source of Southern, Messrs
Harwood & Webb were the Sheriff's
Council, & whilst I was unwell at
Hillsboro Supt. Court, I remonstrated
with the Sheriff against having
all of the State debts made out of
Barber's land. He told me that
he did not know why the Sheriff
had resolved to do so - but that

the stuff James had told him that
he would do so. It was mentioned
I think in the same conversation
that the stuff that he would get
rid in this way, of any doubt as
to power & ownership - as D.B. has
no wife, & the check was being &
no way does check.

I had no doubt, & have none
now that D. Barber's gift to Harriet
was void as against creditors & particu-
larly the debt to the state. Upon which
I acted. The state which I represented
was creditor to D.B. for more than
\$5000. When I did was due simply
to save that debt. I was advised by
very prudent & quick persons, wholly
uninterested (pecuniarily) that a "ring"
had been found in Chapel Hill to
down the down part of Barber's state

I leave the Hampshire estate (represented
by me) outside. I did not very much
believe the story, but thought there
might be except in it a genuine case.
I therefore borrowed \$6000 (paid at
2% per cent per month) & advanced the
rule for State taxes & bought the land,
- only wanting it to bring a fair price.
I did not care ~~to~~ ~~know~~ ~~for~~ whether
the gift to Daniel was good or void.
Of course since then I am somewhat in-
terested in it - not very much; as, if
the Barbree estate be good, it will leave
to repay me what I may lose by
paying for the 200 acres, - under a
statute of this State: (Rev. Code c. 45
S. 27).

I wanted to say at once to you
that the statements in Daniel Barbree's
answer is false. I bought as any other
purchaser might have bought. I raised
the money at a high per cent merely

To ensure the State against the
removed conspiracy.

I submit, whether having purchased the land at a Sheriff's sale for a large sum, paid to the State for taxes, - the injunction against me (or my vendee's) use of it in the way of ordinary cultivation ought to be continued; and particularly whether if continued - I, & he are not in such a situation as reasonably to ask that we shall be secured by a bond for greater amount than \$100. - against the losses that may be occasioned by its continuance.

The case is that the State sold the land - criticised the smallest interference upon our part - & that we bought at a sale made after repeated postponements for a large sum,

Prima facie, there seems to be
good faith upon our part. It
will be a great injury to us to
prevent our cultivating the land in
the way of good husbandry, which
the suit is pending - especially if
after its close, we are to liability
for damages, as now we shall!
Which upon the other hand, we
shall be entirely able (in all proba-
bility) to answer for any liability in
case of success, she may obtain.

Ought not the order to be modified
so as to require us - while cultivating
the land - to give bond to secure
to her a reasonable rent or damages
in case it turns out that she is
entitled?

Yours Very Truly
J. F. Perkins

Release of
10th Nov '69.

S. J. Perkins