

Lewis, Moot & Lewis,
Attorneys and Counselors,
Buffalo, N.Y.
GEORGE L. LEWIS. ADELBERT MOOT.
L. L. LEWIS, JR.

July 30, 1890.

Hon. A. W. Tourgee,

Mayville, N. Y.

Dear Sir:-

Enclosed herewith we send you an order granted by Judge Daniels, at the Special Term this morning. You will see that, by the terms of the order, all proceedings on the part of *Barlow on the order of* George R. Butts are stayed until the next Special Term, which will be held on Monday September 1st, upon which day, or some time thereafter, we will try to see what some court thinks of the practice which has heretofore been adopted in this proceeding.

Please ^{file} ~~enter~~ the order in the Clerk's Office of Chautauqua County as soon as received, as we have served copies of the order with notice that it was entered July 31st.

We have also served a notice of motion for September 1st upon Barlow.

Yours very truly, and respectfully,
Adelbert Moot

At a Special Term of the Supreme Court
held in the city of Buffalo, county of
Erie, held the 30th day of July, 1890.
Present: Hon. Charles Daniels Justice presiding.

Ezekiel Fleming
vs

Edgar H. Nixon & Albion W. Tourgee.

On reading the affidavits of Emma K. Tourgee, Albion W. Tourgee
and Adelbert Moot verified July 28th 1890, and also copies of the af-
fidavit of B.A. Barlow, verified Jan. 20th 1890, and the order of George
R. Butts, Special county Judge granted Jan. 20th 1890, the affidavit of
B.A. Barlow verified February 22nd 1890, and the order of George R.
Butts granted Feb. 24th 1890, the report of Alfred L. Furlow, made March
1st 1890, the affidavit of B.A. Barlow, verified April 3rd 1890, the
order of George R. Butts dated April 3rd, 1890, the affidavit of B.A.
Barlow verified May 13th 1890, the order of George R. Butts dated May
13th 1890, and the order of George R. Butts special county Judge, da-
ted June 23th 1890, and filed in the Chautauqua county Clerk's office
July 23rd 1890, and the notice of Motion thereto attached, and upon
all other papers and proceedings in this action, therein mentioned
or referred to and upon Motion of Adelbert Moot, counsel for Emma K.
Tourgee, it is hereby ordered that all proceedings upon each and ev-
ery of the said orders of said George R. Butts, special county Judge
be stayed until the motion of Emma K. Tourgee, to vacate and set aside

At a special term of the Superior Court

is said orders noticed from the last Friday in August 1890, can be heard and determined; and the affidavits and papers upon which this order is granted need not be filed until the hearing and determination of said motion.

Respectfully,
vs

Edgar W. Nixon & Alphon W. Tounges.

On reading the affidavits of Edgar W. Tounges and Albert Root verified July 23rd 1890, and also copies of the affidavit of B.A. Barlow, verified Jan. 20th 1890, and the order of George R. Butts, special county judge granted Jan. 20th 1890, the affidavit of B.A. Barlow verified February 23rd 1890, and the order of George R. Butts granted Feb. 23rd 1890, the report of Alfred E. Barlow, made March 1st 1890, the affidavit of B.A. Barlow, verified April 2nd 1890, the order of George R. Butts dated April 2nd 1890, the affidavit of B.A. Barlow verified May 15th 1890, the order of George R. Butts dated May 15th 1890, and the order of George R. Butts special county judge, dated June 23rd 1890, and filed in the District Court of the County of Lincoln, Nebraska, and the notice of motion thereto attached, and upon all other papers and proceedings in this action, the court is of the opinion that the motion of Albert Root, counsel for Edgar W. Tounges, is hereby ordered that all proceedings upon said motion and every of the said orders of said George R. Butts, special county judge be stayed until the motion of Edgar W. Tounges, to vacate and set aside