Sherwood Forest

August 7. 1848

My Dear Sir:

A letter from Judge Brown awaited my arrival here in which he uses the following language "Loughborough and myself will attend to your suits. Dismiss all fears as to snap judgments," "The court sits the 2 Monday in August and February. If the Bills were filed since February last they can only get an order for your appearance in February next and if filed before February last the order for appearance will be to August term, when a Habeas will be filed and the case might then be for trial in July - at which time you can appear and either remove the suit for the largest demand to the Federal Court which is in May and November, or answer. The Federal Court has juris diction in cases of $500 or more - You will not raise the question whether "in Equity Samuel was entitled to the $530 being part of the unconscientious or fraudulent gain of Samuel out of your land, which was to have been sold for your not his benefit." You apprehends for the sake of peace you had yielded to that claim - But as to Com.[n] for 12½ per cent I would raise, and

also for the 12 days labour &c there can be no difficulty or danger in the course as it at present seems to me &c — "There is one advantage to have the cases in the State courts — By our practice in the State courts you may make your answer a cross Bill and call on defts to admit or make disclosures — If you were to give a narrative of the conduct of these men and refer to this letter and call on them to answer it would, to use a western phrase, "use them up" — "Take your time to prepare your answer. You may remove or answer in August — You are not obliged to do so until February — "If you have copies of the Bills &c and prepare your answers we can prepare the petition of removal — Costs of removal may be $15 or 20 — but do not hurry or put yourself to trouble to get the cases removed, or to answer at the Aug. term — It will be in good time at the February term" — One word more as to these rents — We have an act authorizing attachments before the debt is due in certain cases — It can hardly be that one of these cases falls within the letter or spirit of that act" — Bro Jd. Gardiner called on me and delivered your friendly letter — I regretted that I could not have

seem more of him. He did not return this route — So much from my friend Brown. so you perceive the whole ground. What if the answer was prepared and a copy forwarded along with the copies of letters to Browne and Loughborough so as to place them in full possession of all the facts, and for their revisal — I confess my inclination is for the Federal court — so decidedly if the narrative of facts, to be sustained by the letters, will be equally potent — let me have your own views concerning the matter —

I reached home on Friday, still affected by a bad cold — I hope it is now to pass away speedily —

With true regard I remain
Yrs Faithfully
J. Tyler

I address you to New York, not recollecting to have heard you say how long you intended to sojourn at E. Hampton — Have you seen Blair and Jackson's disclosures as to Polk and Texas? Texas was lost but for my prompt action — Polk is placed by his old friend for whom he sacrificed all my friends

in a pitiable dilemma – So be it – since it is richly deserved –

J. Tyler

FREE

FORWARDED

Alexander Gardiner Esq.

~~Clerk U. S. C.t Court~~

East Hampton

L. I. New York

Re-forwarded by Lawrence

Aug. 7, 1845

Aug. 6