

say for certain who her grand father
was. If it is true, God bless the
rest of us to do a little better. Don't
let passions get the upper hand
of you. All love for which we are
and kind for which we are.

I wish you would send me a
copy of the Boston family record
which by Charles R. and Charles
Brown. I have a very particular
reason for seeing it. Write to
Hindenburg till we inform you
of our change of place. Love
to all. Kind regards.

Charles send you send soon time
ago.

Very affectionate
Brother
Cobias Gibson

Hindenburg March 16th/57

Dear Aunt

In writing home
there is always a sort of feeling
which when I have half finished
a letter, makes me discontinue.
But as I am better acquainted
with you I feel at perfect freedom
both to write what I see fit to
and to write it in whatever
manner I choose. Moreover
I must always receive answers
to my letters from you.

Charles as you have no
doubt heard long ago was
to go to Italy well, he left
Paris on the 12th (so he wrote
on the 10th) and is now probably
on the sea. He wrote me before
his leave that he was the better
health than he had been since his
arrival in Europe. His

recovery was a most wonderful
thing. Wonderful, because not
one person who knew him
expected it. On account of so
great an improvement in his
health, I did not think it necessary
to go with him. I think he went
in company with other persons.
I am still in Heidelberg but
glory be to God I am at last
in circumstances to leave. I
shall leave for Göttingen on
the 28th, procure robes &c for
myself and him who comes
on after me in the first of
May when the term begins
again. You can pretty well
imagine why I am leaving here.
Our acquaintances (women) who
though good are rather abundant
in Göttingen we will be perfect
strangers (and will remain so)
so we will be in a manner
forced to study. As the term
was drawing to a close him fought
two duels and received a fink
on the head which kept him in the

house a few days. He did not
get along quite as well as I did.
When we go to Göttingen we will
tripe with the Vosses.
The war excitement has ceased and
the people are cool once more. At
one time war was expected every
day. By the way I sent by Budd, whom
you saw in Heidelberg before you left,
a photograph. He is to give it to
Mr. Hewitt and St. York. Where in
the world has ever become of poor
Hewitt. Every body enquires for
him. Souldard leaves for home
in about a week. The Museum
mask-ball was given on the 1st. I
had a fine time. Him & I had the
finest dresses in the room. And
were very much complimented
by everybody. When we entered
all applauded. They call us the
best dancers in Heidelberg and
to tell the truth, I think they forbore
opening snift. I hear from Paris funny
accounts of Leo's marrying Miss Young
and son or Miss Young's family. And
of your engagement with one who can't

on board, went to Neukastelnack - both
dinner, made speeches and returned.
There were about fifty present - He
was one of the chief persons of the day -
His toast was "on the ladies!" - The
evening was given to dancing.

Schiller's would
have been 100th birthday is on the 11th of
November - It will be grandly celebrated
throughout Germany and particularly
in Jena as this was his place of
residence - The Professors and Students
go in procession to Schiller's old house and
are to be received by twelve fifteen young men.
I suppose the whole affair will be a silly
proceeding.

I have taken out the lectures
in the University and only wish I had
the time for as many more - I will send
a Catalogue as soon as they are issued.

We have struck on a fine servant here
in Jena, who would suit you to a T - He is
very anxious to wander out to America
and you could get him for almost nix -
He is not too good looking for the Col - I

C. Gilman

stud. in

1857

Jena. Weimar Oct 27th 1857

Dear Hart

I think, my last letter to
you was dated sometime during the first half
of the last month and according to my reck-
oning you have had ample time to receive
and answer it. I suppose, however you have
been so busily occupied with more important
things, that you could not find time to drop
me a line or two by way of letting us know
how you are all getting along. We, on this
side of the water, are "creeping" very kindly thanks
- "as old man Bosh would say" - Since we
have heard of your marriage, we have become
very homesick and I don't know but that I
might feel a little better at home. To think
that one, two or three years are still before
me is almost insupportable. It may have already
begun to seem like a month and a month
as unto a year. All that keeps us alive now
is the expectation of seeing Charley Cochrane,
who Sister wrote would leave about the 8th of Oct.

My only hope is, that he will not change his
mind about coming. If he did, however, I should
only have another opportunity of recognizing
the old family failing. If he is coming, brought
to be here now, but I suppose of course he either
missed the steamer at New York or followed
the old saying, "never do to-day what can be done
to-morrow, and turn over and go to sleep."
I concluded to take the next steamer this way.
Claude is in Paris at the Mademoiselle. He writes
me that it was so very unsightly in the
Latin Quarter and so very agreeable at the
Mademoiselle that he could not persuade himself
to live on the other side. He will hear from
him soon, and if I could favour his cause
by writing he would hear from me too. Claude
writes me that Charlton Morgan has been
appointed Consul to Mexico and that
he had seen him in Paris on his way to his
post. We must be getting pretty bad off for
foreign officers if no better men can be
found to take office, than ignorant young
Americans, like C. M. or thick-headed, perverse
brained Englishmen. I have ceased to wonder
that our interests are so miserably protected

since they are intrusted to such men
as Wright at Berlin and Mason at Paris.
They being the brightest stars we have in
Europe. They are all of them but ^{the} foot prints
of men who were an honor to America at
home and abroad. Once Americans felt
proud to visit a Minister or any other
Official, but now of days it is vice versa. If
such as Scullin or Mason should
honor me with a visit, I should be obliged
like Napoleon, ~~to~~ to go to the expense
of getting him a tub for his tobacco pipe
or request him to visit me at some public
place. Mason is dead and Calhoun is playing
the fool, at the same time acting Minister pro
tempore. I hope the Government can persuade
a white man to take the ministership to
Paris in Mr. Norcross's place. Who do you
suppose, will pay his numerous debts in
Europe? They succeeded in saving his body
from the Hospital and ⁱⁿ sending it to America.
The Americans had a 4th of July celebration
in Heidelberg. Thron from Frankfurt, Dresden
and neighboring cities and towns were invited.
They chartered the Neckar boat, with a band

J. Gibson jr
Schwetzingen, Baden
Sep 6 1860

J. Gibson
Schwetzingen, Baden

Schwetzingen, Baden.
Sept. 12. 60.

Dear Aunt,

Several months have passed away since my last letter to you was sent off and quite as long a time has gone by since I received one from you, except the very short one which, reached me a few days ago. Of course I was glad to hear from you - but was very sorry to see that you have paid attention to the request I have so often made, viz: to send photographs. At first, when you were in La. you were on your way to the City - to have them taken - then some months after they were to be sent by Mr Hewitt, but finding that too inconvenient and as Mrs Shaw was to leave for Europe in a short time, you would send them by him. Well Mr H. Shaw has come to Europe, has reached Heidelberg and has

left and no photographs have been
seen or heard of. And so it goes.
My only object in writing now is to thank
you for your kindness in sending us
the present of \$5.00. Now this can be done
in very few words. And after it is done,
you all at home must be thankful when
you hear from me direct. No, I don't
intend to put my pen to paper to write
to a single member of the family on behalf
of Co. till the afore-mentioned photographs
have made their appearance. I think
you might do us a little favor which
would be so pleasant to us and so very
little trouble to you. A year has passed
away since I first made the request and
you promised to comply with it and
nothing has been done. Of course we can
not expect them now. You may expect
to be treated in exactly the same way
should you desire that slightest thing
when I am about to leave for home.
Claude & Vivie have pretty much the
same idea about the whole affair.
You can count on nothing at my hands.

I am sorry to hear that Humphreys
health is so bad, though I can't wonder
at it at all. It is the natural consequence
of former folly. What in the world has
become of William? We have not heard
a word of him for at least eighteen
months. Is he still in the West at sugar
planting? Claude got a letter from Sister
not long ago from which I infer all are
getting along about as usual. Of course
nothing could be of interest to us there,
in either N.Y. or Va. or even now since
we have heard of everything that has
transpired long, long ago. Now for
the same reason I suppose must with
exactly the same right you don't want me
to bore you with a long letter now
about us or about what we are going to
do. And just as you do favors for us
so I will for you and close.

Love to all -

Love Brother
Thomas Wilson

J. Gibson jr

March 3, 1861

The millennium would not be so distant to one of our old patriots, if he could rise from the grave and survey the world from the farthest East, where barbarous rules might, to the going down of the sun in the shoulder of civilization ^{Germany is preparing} England & France, while they cherish a feeling of hostility to each other, are engaged in forming a most infernal treaty with China. The different members of Germany are engaged in seeking out a pretext for war. Italy is in a perfect & horrible state of revolution & chaos a king from his evil which he has crisscrossed with the blood of hundreds of honest hearts. Russia is baffled in her attempt to free her slaves. And the United States are being torn asunder by insanity and fanaticism. What is a state when shown of honest hearts. True principle is no longer amongst us, with cruel self interest sits ruling on the chair of preeminence. I for my part feel

Geneva, Switzerland. March 3, 1861

My dear Frank

Your letter of the 11th of Feb. reached us yesterday. Well, at last you have mustered enough energy to scrape together a little note. We who have been waiting for a letter from you for at least six months. Charles left us for Paris a little over a month ago and we have only heard from him once since he took his departure. When we last heard, about three weeks ago, he said he would leave for home toward the latter part of February, but it is now the 3rd of March and he has not left, at least, I judge so far I hardly think he would leave without giving notice. When we next hear from him I have no doubt he will be in England or America.

Now about the "break-jin and earnings".
I am very sorry to be obliged to tell
you, that owing ^{to this} lightness of my purse
just now, I can not afford to get
either the one or the others. And as
I am no longer in Germany it could
hardly be expected of me to make
a credit there. Moreover, I can not
run the risk of buying, when I have
no guarantee that I can ever obtain
the paid out money. As soon as I shall
have received the money from you
I shall be at your service. Experience
teaches me to be prudent. It will
probably be a long time before I return
to America - so that you will have
plenty of time to make any pecuniary
arrangements. I have been with up to
mountain, lake, and sea, and I am not
at all inclined to go to any other place.
I am sure you will find it so.

We have at last determined upon a
place in France. It is Dijon, between
Geneva & Paris, where there is a very good
Law school. It is impossible for us to

learn the French Language in Geneva,
where we come so constantly in contact
with Americans. Dijon has said to be
a very pleasant & healthy place. It is
all I know of it. Direct that you must
letter to me at Dijon, post restante.
I write you on arriving at that place.
It would be very pleasant to get our
appointments of some kind in Europe -
under the Southern Confederacy it
would not be difficult, I judge. It is
strange that we have so many relations
holding public posts and we should be
left out while others step in & fill the
places.

We made inquiries about the
military schools in France & Switzerland
but were not able to find one which
would exactly suit our purpose. I should
have been very glad to have entered
an institution of this kind in order to
have acquainted myself with a little
of the military. I consider nothing
more important to a young man
who wishes to rise in America.

little interest in the pending crisis -
since good will be turned to evil
& liquid tears for the republics ruin
to solid rock - I only hope the Ides
of March have not taken their place
in a republic's capitol a second time,
in vain - Have we no wise fool who
will bravely dare the danger nature
shrinks from? Will not the spirit of
Brutus rise up amongst us - will
not Demosthenes cry out to us as he
did of yore, I for my part shall not ~~be~~
will not turn the grave of Washington
lent to us in such a time a breast,
a heart, a sword - The triumvirate
bearing the scotch of compromise
is no longer to be found haunting
the land with propositions of peace -
But our cry might be, "a king come
for a man" - While Napoleon, Lord
Palmerston the King of Prussia the
Emperor of Austria & the Pope are
vying with each other for position
and for names to be respected by
a world - we, disgusted with ourselves

even the gamut of shame and
prostitution - Traitors to ourselves,
we have put on the mantle of Pilate
against that divine Providence which
guided us through a war for freedom
to a state of prosperity not equaled
by any nation on Earth - But the time
is gone & the men are dead and we
are at the mercy of men who knowing,
do not - and knowing can or will not.

I wrote to William a few days
ago & sent the letter to you as I did
not know his address.

Charley Tooker
will leave Germany soon. He did
not tell me what he intended to
go or what he would do.

Kim joins me in love to all
Your ever affectionate
Brother.

Love.

Why don't Mary & Louie answer
my letters? -

J. Gibson jr

Jan 10 1861

Dear Aunt: Claude sent
from Heidelberg a box of articles of
porcelain, to New York, in N York,
which you will do well to have
forwarded to you in Kentucky, as
there are some things in the box
for you and Sister. It was sent
about a month and a half ago
so that it must be in N York
now. The most of the articles
belong to my, being dedications
from my friends. Please take
good care of them as they are
the only souvenirs I have of
my student life in Germany.
I have the receipt for them, but
you will no doubt be able to get
them without it. Don't see
the china above all means
&c. that which belongs to me.

Claude & his join in love to
all. With love to some of us.
Your affectionate
Brother
John

Geneva Switzerland Jan 10th
1861

My dear Aunt,

I sent off a letter
to Louie yesterday, but forgot a very
particular article for which I must
make up now. I am all ready for
a party and find I got a little a
head of time, being about half an hour
too soon. I had intended to write
to you yesterday instead of to Louie
but as we do not know exactly what
your address is, I wrote a small
note to him. We received a few
days since letters from Pa and
Su and through them learned
something of the news of the
family and the country. Since
then we have received the news
of Carolina's withdrawal from
the Federal Union. But not yet

the action of the general government
on the present state of affairs.
You can pretty well imagine what
our ideas on the subject are. We had
hoped to see some grand speech
from you or her or from both but
as yet nothing has come to light on
this side the water.

Claude is still
with us in Geneva and since
his last letter has become wholly
undecided when he will return
to America. Should he return
now, it would be necessary for
him to remain in the cooler
climate of the North for the South
would be decidedly too warm for
him. He will probably leave
some time in the Fall of the
year - almost a year hence, unless
the contrary should be decided best
at home.

Kim and I are making
some little progress in French
and hope to be able to attend

lectures in Paris next summer if
Father does not come over. We both
find French much easier than
German was at first. We understand
better the system of language-learning
I do not find Geneva as pleasant
as Heidelberg or the French and
their customs as agreeable as those
of Germany. But I suppose all
this will be changed with time.
You have no doubt for often all
you French & German by this
time from the want of practice
in speaking. Reading alone does
not keep the language firmly fixed
in the memory by any means.
The tongue becomes stiff like
the fingers on an instrument -
not reading alone does not
make the performer but practice.
There are few Americans in
Geneva and those who are now
here will leave soon for Italy
and Spain for the winter and
Spring.

The kind as ever as you letter came authorizing
Pa to place the money to my credit, I should have
drawn it and placed it elsewhere not subject to
be withheld by anybody. These points I shall
guard in future.

I shall write you again in a
few days. Let me hear from you often.

I want

you to save for me a good bull calf and two
heifers - a good Southdown Ram & half dozen
geese. They should all be pure blooded. If you
have a good stallion colt for harness & saddle I
should like for you to save him for me and
bring on and him down this fall.

Yours very truly

John D. Appleton

Edward Nelson Jr

Lawrenceville March 26. 67

My dear Hart

Yours of 17th inst has just been
sent up to me by Louis from Lin. Ark. The one
of a firm date demanded no new information and
as I had already posted you tolerably well, I did
not consider it necessary to write on its reception;
but supposed you would rather I should wait for
new developments.

We have, say 12 acres of chert
about 50 superficial acres of plant cane well
incultured. I think all we have so that we may count
on having in the ground from 70 to 75 acres from
which to make a crop and furnish planting for next
year. The season was so wet the cane so bad and
our beginning so late together with small force of
hands & mules that we can not make any large
calculations. The cane does not come up well, and
yet in spite of the drought of four weeks through
which we have just passed I think we shall have
enough cane on the ground to give us 1 1/2 to 1 3/4 per
acre. Say, then, going on from this calculation, we grind
enough only to have seed cane for 125 acres, which
gives us 75 chert & 125 plant - 200 acres in all for
1870. If this be the basis, we should grind 50 acres &

plant 25- I conclude that our expenses can not reach higher than \$6,000, so that if sugar holds good and we have every reason to believe it will. 75 kds ought to refund amply and leave a surplus of from \$1,000 to \$2,000. In this summary, I have doubtless put both expenses and prices low - below what I really think they will be - and yet the surplus stated must exist.

From information

derived from Pratt and Marchmont in the City, I am almost determined to get one good boiler at a cost of \$1000.00 which will be enough for one or two engines & mills. The arrangement should be to pay in three installments one third each one third at the end of year and balance 1st March 1870. By that time we shall be able to determine the propriety of getting another boiler to put with the one Sugar House will be in order long before we need it.

I am opposed to your idea of grinding as early as 10th Oct. for at that time the cane is not only not matured but not finished growing. Cane that would yield two kds in November, would not bring over six hundred lbs in early part of Oct. It would be like pulling corn in Ky in June or July or cutting your wheat in January. It now does to sell some bad sugar by the gallon, when good sugar goes as readily and at high figures by the lb.

You will have to continue your regular deposits with Huger & Rein. But all deposits with them are to yield 8 per cent. I saw Rein about this while in the City not long since. I am surprised you should have made the omission. Pa declines to put the balance of your advances to my credit. He holds it to pay Louisa's current expenses. I was not aware of this determination until day before yesterday, or should have written to you to discontinue your deposits. It is rather hard and places me in rather a peculiar position towards you. I hope you will understand that my motive in writing to you to discontinue your deposits with Huger & Rein, was to save you from interest when you had money already here, which you and I both supposed was to my credit. I am only sorry Pa did not let me know his determination a month ago, instead of at the eleventh hour. However, I shall be able to make out, I trust, in spite of the drawback. I wrote for Louisa to come to the City and any expenses she might be at, he would pay and wait on her for the money - meaning, I suppose, until she realized something from the Greenwood crop; but when Pa got the account of last year between himself & her, all the charges were shown, and Pa seems to think he is in duty bound to pay the account out of the money advanced by you last year and to be refunded to you with interest this year. Of course the whole thing is out of order and ought not to be done. Had I suspected any thing of

LAW OFFICE
—OF—
TOBIAS GIBSON,
26 CARONDELET STREET.

New Orleans, Dec 26 1875-

Col Hart Gibson
Versailles - Ky-

My dear Hart,

I wrote to you
some time ago proposing to settle the business
with reference to the Greenwood plantation once
and for all - to adjust the complications and
to enforce under the law the rights of the
parties interested to the satisfaction of all of
us. My proposition is this -

The taxes amounting to something over
\$2000 are past due and unpaid and the
property is on the delinquent list. They should
be paid, but you must know that my business
here does not justify me in advancing the
money necessary, and my wife is already
deep in the business -

I suggest that my wife
foreclose her mortgage and hold the title
to the property until she is paid - or that

LAW OFFICE
—OF—
TOBIAS GIBSON,
26 CARONDELET STREET.

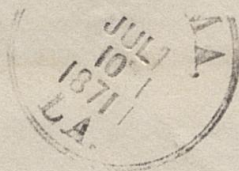
New Orleans, 187

she forecloses her mortgage - buy in on
it and then immediately convey to you
and Louie's representatives - since neither
of you can hold safely in your own names -
your respective two thirds, subject to your
respective proportions of the mortgage
and the taxes and the expenses of foreclosure.
Now, what is meant by the first suggestion, is,
that out of the rents or use of the place, every
one is to pay herself for her disbursements in
favour of the place to the extent of two
thirds, since the one third would be hers as
I am not able to take up the mortgage
against my interest.

I wish you would answer
these suggestions after conferring with Louie at
once, giving me your views. I write a similar
letter to Louie. With much love to all

Yours brother affectionately
Tobias Gibson

T. GIBSON, Jr.,
Attorney at Law,
HOUMA, LA.



Col. Hark Gibson
- Lexington -
- Fayette County -
Kentucky

If not called for in 10 days, return to

Honolulu La July 9. 71

My dear Hub,

By a recent advertisement in your Press (Publy) I saw there is to be a sale of several hundred barrels good copper distilled Kentucky whiskey - A gentleman here R. G. Ernst, wishes to get one barrel if it is good and as represented in the paper - He depends on your judgment in the matter - He limits the price per gallon to \$2.⁵⁰ - If it can be had at that, send the barrel to my address, care, Summers & Brauer, or care, Minor & Beithen, New Orleans, and I will settle with you by check on Citizens bank, or in any other way you may suggest -

Your last letter is received and I have written to Leo, to know when to go down to the City - and also contents of your letter - I did not send the letter itself for fear of loss - If the arrangement can be made it will be done at the earliest moment - There is no time to be lost -

Yours affectionately
J. Gibson Jr.



Cal Hart Gibson
- Lexington -
Layette County
Kentucky

To be kept for
future use

In the Supreme Court.

E. LOCKE, TUTRIX,

versus

ROBERT R. BARROW.

BRIEF ON BEHALF OF APPELLANT.

This suit was brought to recover from Robert R. Barrow, on two promissory notes, drawn by him to the order of Samuel Locke, dated March 17th, 1865, at the City of New Orleans, payable twelve months after date. On the 14th of November, 1867, the suit was brought by Winchester Hall, in the Third District Court, for "Mrs. Emilina Guesdon, widow of Samuel Locke, and administratrix of the succession of said Samuel Locke," her deceased husband. The Record shows that the answer filed in the case, 3330, denied that Mrs. Locke was the duly qualified administratrix of the estate of her deceased husband, Samuel Locke. In this condition the case remained until the establishment of the Fifteenth District Court, to which the case was transferred.

On May 7th, 1868, less than a year after suit was entered, Mr. Hall, the attorney in the case, recorded on the reverse of his petition a receipt for fifty dollars, paid him by Robert R. Barrow, to be credited on the notes. The receipt is signed by Mr. Hall as Mrs. Locke's attorney. In this condition the case rested until November 8th, 1871, when, in the absence of representation, the parties plaintiff having been called at the courthouse door, a judgment of non-suit was rendered. On April 9th, 1872, the case was revived by the institution of suit No. 3656. The allegations of our petition are, that Mrs. Emilina Locke is the natural tutrix of the minor heirs, and the usufructuary of the estate of her husband, deceased.

The defendant, in his answer, sets up the plea of prescription.

On the trial of the case, (3656,) we insisted on the admissibility in evidence of the receipt on the reverse of the petition. It was objected to by opposite counsel, and the Judge, ad hoc, sustained the objection and rejected the receipt, to which decision we reserved a bill of exceptions.

It will not be urged by the counsel for the defendant that an attorney has not the authority to receipt for money paid him for his client, nor will it be objected that there is not a binding force in such acts of an attorney on his client. The objection to the receipt seem to be on the grounds that it should have been in another form, as well as in the actual possession of the defendant. If the

defendant, Barrow, paid fifty dollars as stated in the receipt, he was entitled to that amount of credit on the notes, and no better or safer place could have been selected for the record of that credit than on the reverse of the petition, of which the notes formed a part.

The receipt in question became from its very nature and position both a part of the petition, and necessarily a part of and a credit on the notes. Let us suppose the case of Locke, administratrix, vs. R. R. Barrow, had been pressed to completion during the presence in the State of the attorney first employed, and the question of the capacity of plaintiff had not been raised, having the notes as the sole object of contention, would or could the defendant, Barrow, have invoked the receipt to establish a diminished indebtedness? We think he could and would have done so, and the credit would have been allowed him by the court.

Would the attorney of standing at the bar have recorded this receipt on the official records of a court, thus rendering himself criminally liable, had the money not been paid, for the purpose of establishing, more than two years after, an interruption of prescription? Had this been the case, by an examination of the dates of the notes, the filing of the petition, the receipt and the plea of prescription, we are driven to the conclusion that he must have been inspired with the spirit of prophecy. At the date of the receipt, prescription was not in contemplation. It was given, in our opinion, and it is the most natural conclusion to arrive at, simply because the de-

fendant paid the amount, and the attorney having received it, desired to give him a credit to which defendant was justly, legally and morally entitled.

8 An. 458; C. C. 2143; 3 An. 628.

In the words of the Civil Code, Art, 3518, "a legal interruption takes place when the possessor has been cited to appear before a court of justice, on account of the ownership or of possession; and the prescription is interrupted by such demand, whether the suit has been brought before a court of competent jurisdiction or not." Art. C. C. 3519, will be cited as in the lower court to show an abandonment of the suit or demand on the part of plaintiff, substantiated by reference to 8 An. 453, explaining that article of the Code. It will be observed, by reference to the Record, that the plaintiff was non-suited, by reason of non-appearance, on motion of defendant and the suit was not abandoned by any "voluntary," "intentional" act of her own. The case was not dismissed by plaintiff's counsel or by his consent. The attorney was absent from the State, the plaintiff lived at a distance from the court, and the mere absence of herself and her counsel at a term of court when her case was called, is insufficient, without further evidence, to convict her of having abandoned or discontinued her demand. 10 Ar. 331. 7 An. 523; 14 An. 692; 8 An. 469; 22 An. 171.

"L'art 2244 ne parle," says Marcadé, "il est vrai, que d'une *citation* en justice, ce qui pourrait faire croire que l'effet interruptif n'est attribué qu'à la demande formée par exploit introductif d'instance; mais la raison dit, et

tout le monde le reconnaît aujourd'hui, que toute demande en justice, qu'elle soit formée par une citation ou autrement, interrompt la prescription." Explication des Codes Napoléon, Lib. III; Art. 2242 to 2248; §II.

The question now presented to the court is, was the case of Locke, administratrix, *a suit*, an "instance," or "demande" within the interpretation of the law? The original entry of the suit, 3330, was in the name of E. Locke, widow of Samuel Locke, administratrix of the succession of Samuel Locke. It is true we will admit, for argument's sake, that she was not the *formally qualified administratrix*, nor was it necessary, under the law, that she should have been, as long as it was not required by those who possessed the right, if such there were, to require it, but she was, at the inception of the suit, the surviving widow in community and the *duly qualified tutrix*, and in her double capacity had the right of administration and of doing all those things which an administratrix could do; especially could she sue and be sued, and stand in judgment as the only representative of the estate of her deceased husband. No administrator was applied for and none was appointed. Mrs. Locke stood before the courts as the sole legal representative of her husband's estate and the interests of the minors, and any judgment rendered against her in that capacity would be binding on the property thus represented. 4 An. 458; 2 An. 463; 3 An. 502; 10 An. 534; 5 An. 180; 7 An. 134.

The special attention of the court is called to the reference, 2 An. 463, and to the facts as stated in the opinion of the court in that case.

Whether Mrs. Locke sued as "administratrix and surviving widow of Samuel Locke, deceased," or as "tutrix and surviving widow of Samuel Locke, deceased," is immaterial and of no concern, as in either case and in either stated capacity, she was the proper legal representative of the estate, and of the interests of the minors. The mere difference in name could not change her capacity or alter her identity. She is represented as the surviving widow of Samuel Locke in both cases, which so completely identifies her as the representative of the minors and the estate of her husband, that where it is in evidence that she is the duly qualified tutrix there will be a liberal construction of doubtful or conflicting laws looking to the protection of minors in their rights.

We would respectfully refer the court to the decision of Justice Mathews, in the 6 La. 212, and to Vazeille on Prescription, Vol I, p. 210, articles 194, 195, 198, 201.

Respectfully submitted,

Compliments of

TOBIAS GIBSON,

Attorney of Appellant.

Decision rendered in my favor. H. G.

TOBIAS GIBSON,
Attorney and Counsellor at Law,

Houma, Parish of Terrebonne, La. April 23. 1873

My dear Hark,

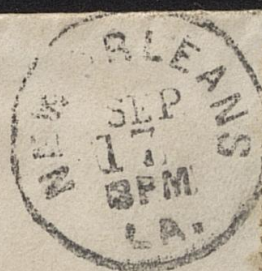
I wrote you from Lividak on the 14th inst to use your best judgment in regard to the lease of Greenwood and at the same time desired you to inform me by telegraph of the results. Whatever you do in the premises will be right with me. My first letter containing a modification of Earley's proposition, I regarded as only a suggestion to you, and by no means as a necessary basis of operations. Whatever disposition you make, I will endorse. Bush has issued execution on the Russell place and it will be advertised for sale for the 3rd July. Of course we must expoin in order to get the crop that is on it off. I have thought that perhaps you might get Willie Voorhies or some one else to buy the judgment. It could be done on moderate terms and good time. The Russell track is 12 $\frac{1}{2}$ acres front by 40 deep commencing at the Lividak line and running up nearly to the Pratt gate.

You might offer it for sale, saying nothing about the judgment, which amounts to about \$4000. It would make a nice winter residence for some one who wishes to live here at that season, and at the same time has plenty of wood and open land for a nice little model farm.

I have written out an act of Mortgage to her and sent it down to him for his inspection and she returned and passed it over here. It is in accordance with your wishes and the power of Attorney to H. C. Minor. Let me hear from you. With much love to all. Your brother affly,
John Libron

I have just heard of the death of Andrew McCollum Sen.

GIBSON & GIBSON,
Attorneys and Counselors at Law,
No. 5 Carondelet Street,
NEW ORLEANS.



If not delivered in 10 days, return to

Hart Gibson Esq.,
Versailles -
Woodford County -
Kentucky -

and tell me what you think I "might, could, would
or should, ought to" under the circumstances -
It requires an inordinate amount of pluck to step
out in the dark, but dark or light, I am worked up
to it and am going to do it, if the delays annoy me -
Bigger fools than I have pulled Nitro, why can't I?

Though the trees look much infected by the
oxygen, they have a great many oranges on them
which next month will be ripe. They are not large -
this year - nor very abundant -

This country looks
like the Devil had stalked through it and blown
his withering breath upon many a tree and all
vegetation leaving a track of bitter desolation
and ruin -

Give my love to Mary and all the little
ones, especially my little pearl Louisa. From
manners, disposition and brains, she is my
favorite of her generation, and I think you
will have very cause to be proud of her as she
grows older. Love joins me in love -

Affectionately your brother

Robert Gibbons

Swindale Sept 8. 74

My dear Jack,

I have always intended to write to
you about my matrimonial arrangements as
soon as anything definite was determined upon
and now that it is settled that I am to be in
Kentucky some time in October, though no day
is appointed, I hasten to apprise you of it and
at the same time to solicit from you any
suggestions and advice you may feel disposed to
give me looking to my advantage or establishment.
I wrote to William Beckwith asking his advice as
to locating in Central Kentucky, as also to Gen.
Blackburn - As I expected, they offer no inducement
to such a settlement - Unless I do otherwise, I
would not live in Ky. but when I come to
examine my condition in connection with
the circumstances in which I find myself,
I see nothing else before me but locating in
Ky. for the present, at least. I do not like
Lexington - not on account of the number of
lawyers there or the ability of the bar, for every
lawyer finds his level in an incredible short
time - and my position being a median one, I
should hardly be able to take out as much living if

that, knowing as I do that there at the head of
the bar only make a good living - I am informed
that direct propositions of partnership have been
made in my behalf to some of the first lawyers -
but this was done from the best motives in the
world and actuated by false impressions of my
ability - and the impetuosity of enthusiasm - Of course if
anyone were so kind enough to take me up in the
beginning of my struggle and give me this strong arm
of assistance when I shall most need it, I should
naturally and deeply feel the gratitude of one who
receives when he has no right to expect help - It is
not infrequently the case that kind and generous
lawyers take in young men to assist them and they
are of immense service to them in many ways -
Of course I would expect to share more of the
profits of the office, but certainly the "good will" which
to a new-comer is equal to money and often rapid
advancement in his profession -

I have heard recently
that you have opened an office in Dallas - Now
is your forte, and with independence and self-reliance,
you are bound to prosper - One thing my
experience in law teaches me without hard and
accurate work no man can succeed, whatever be
his ability - I recognize in you all the elements of
complete success but only self-reliance, tireless
activity - overcome this, and you can make
your success whatever you would have it -

I have, since the developments in my affairs,
intended to write to Mary all about myself, but
have been sick and so depressed that I have had no
disposition to put one foot before the other - This
climate would be the death of me - Every summer
I some way or other start down hill and as I
go my pain seems to increase, though I fight
hard to hold back - I hope to get off in two or
three weeks, when I shall go directly to Ky -
I am very much troubled about what I am to
do after the marriage is over - I wish to God, I could
make some arrangements before the affair, which
if I felt disposed, I could walk into any office
the day after and have at least an apparent
visible means of support - If there was law
business in Ky and few were in Ky are here, I
might make some sort of calculation - but I am
led to believe there is actually no business and the
few that amount to much -

Now you see my
position - Know my anxiety and are competent
to advise me, recognizing the fact that I am
bound to assume the position which I am
exactly what you think I had best do - You
need not say, the best thing is not to get married
for that is decided upon unalterably - If I am
in a scrape, I have a better right to call on
you to advise with me than anyone else or than
you have to refuse - To ask you not to work

LAW OFFICE
—OF—
TOBIAS GIBSON,

170 Common & 24 $\frac{1}{2}$ Carondelet Streets

New Orleans, April 20. 1860

My dear Stark,

I have just received the enclosed Telegram from Lu which explains itself. An amended and supplemental petition will answer the purpose, if Winsor has already filed the original or chief petition. I would repeat the telegram to you, but it would not get you so soon as this letter, as you only send to the mail at certain times. I send you a copy of my brief in the Henry case and will send you one of opposite Counsel as soon as I can get one. The case comes up for trial tomorrow, and as I have not touched on certain minor points which on by opposing Counsel, shall deliver an oral argument in open Court. I am well assured to lose this case, as in the Court I win it, I get a \$10,000 fee and it secured by the property itself. Mine is the best brief, as you would see by comparison.

but the winning man is the one to stay - I
have the judgment of the lower Court against
me - which is a strong point in every
case, and hard to overcome -

As had a
furious rain last night which flooded
our streets - The water in the river is high
and the rains are softening the loess, which
makes an overflow almost certain - I fear
for the result, and look anxiously for reports
from above -

All well and much love to you in
warmest love by me all - Maggie leaves Sunday
the 27th by boat -

Let me hear from you -

Affly yr. brother
L. L. Libby

If not delivered within 10 days, to be returned to

John Gibson
Hennepin - Minn

Col. Hark Gibson

Lexington

Kentucky



Honorable Oct 6. 1861

My dear Stark

I have just now
received your letter of the 3^d inst
I have over it with some care
If you come to Bayou Black
I live perpetually in the place
I have no doubt you can in
the end do something with your
theories in the matter, but if you
attempt to run the place from
Kentucky or in absence, you
might as well turn it out to
the common - Of course the
idea of planting only 100 acres
of cane is poor in theory & if
you have loads of money to
experiment on, why you can
in time - long time - get through
Unless however you have plenty
of money, you may hope well
be to quick piddling, make a
crop - a paying crop - which

4/ fact of failure produces debt & a debt in one
shape is about the same as in another - If you
make 100 ~~thousand~~ ^{thousand} sugar & have \$15000 to pay - you
have \$5000 - of debt - What matters it to the
creditor whether it is in the shape of a mortgage
or an 4% which in a few months can be put
into a judgment? If unlimited & uncontrolled
and I had the place, I would put in by April
250 acres cane - priced 240 on the whole &
if the next year put cane on the land cleared
by getting wood in the woods, I would make a
spoon or spit a horse & believe I would

3/5 say, but should give you
full swing - of 15 years of 4-
-permanence don't teach a man a
lesson, then how can I hope
to do so by writing or talking?
I would not give \$100 a year
for the place, if I had to be in-
-ited to 100 acres of same - I
would not undertake it if I
were paid to do so - for I am
satisfied in advance of utter
& entire failure, discomfiture
loss of the property - I will
of course not buy on your
terms because you desire it,
but I could not consent to
take the property on those
terms, for I know it means
loss of the property - It does
not require a mortgage
to encumber property - The

b/ if you contemplate piddling along as in the
past, there is no hurry and you might just as
well go to the St Louis Convention or not, and
perhaps better - You going to the Convention might
all together prevent you carrying out your determi-
-nation - which would save you money & pray
hairs & heart ache at the end of the year when
the solemn reality of failure burst upon you -
I can only warn you - I can not guide - Experience
does not teach you - I can not. Do therefore as
you deem best - You have my consent in full
I lay no store by Father's opinion either of you or
the situation since he is not here to judge -

4/ will put money in your pocket.
No man not absolutely insane
would advance you a dollar
to purchase a broken down
plantation, with not a hoof
of stock - not a plow - not a hoe
nothing on it in fact, on the
basis of 100 acres or more - If,
however, you put in a crop
as practical growers up here
do in this country, you could
get all the money you would
need. Men of money would
let their money out on wild
theories. They must see some-
thing more rational - money
in view - However, this is no
matter of mine - If you want
to undertake to carry your
theories into execution - plant
100 acres of cane - live in Key
West or elsewhere - I have nothing

to make money. Dab in cropping is all important
and absolutely essential in retrieving a plantation
practically a wilderness. If you put in 100 acres
you will find yourself at the end of the year in
debt, & skimming around for a receipt
to help you out of the trouble. If you put
in a crop, you will be independent of every-
body & all contingencies, and you will realize
for the first time since the war, that the place
has yielded not only the negro, but its owner
a good living. If you intend putting in a real
crop, I think, the common sense is here the better.

7/ If he were here & decided
with you, I should simply
say it was the theory on rock
on which he wrecked - not
because he endorsed the
theory but because he
could not get the money
to carry out his own
idea which is what I
now advocate - "Make a
crop - quit piddling" was
his very day talk, and it was
his forced piddling which killed
him - If he could have bought
enough land to plant 500 acres
he would, I have no doubt,
be living to day - The land can
be well selected & enclosed I
saw the report as made

87 Done today a 2 presentation it will be all
right. Ernie thinks he gave us good measure
The trouble will be about stock getting on the
cane after it is put down. You ought to
look closely at this. You can't do it in Ky.
See can't in Europe or Washington. Having
resisted my interest by you, you are now in full
possession as far as I am concerned. Of course
Cross & Pincuff will not take the place limited
to 100 acres. They want to make money & not
work for work's sake at the sacrifice of their money
& time. The only way they have of paying back is

to work it out of the place, and
they know. I know - everybody
knows - they count to it with
100 acres of cane -

I am giving
the pigs all they can eat of
slop - pumpkin & corn & they
improve daily - I would like
very much to have the pedigree -
do you know the expressage
on them was \$13.²⁵ Pretty
heavy, but I hope to make
it out of them - I shall not
alter the bond, but make some
arrangement to stand
him on the shares -

Business
is not on a stand still, but
improving a little as Dick
Court approaches in Nov:

10/ I hope all will be well with the case in the
Ky Court of Appeals. It is fixed for the 8th and I
hope there are no irregularities which would
subject it to dismission. I have written
volumes to Gillespie on the subject & paid
out more money than I was able to afford.
How am I to know if it is submitted & returned
and when decided & how? Write me -

All join in love & care -

& Lissou -

Affectionately Your brother
John Gibson



Col Hark Gibson

Lexington

Kentucky.

Will-affection
Your brother
Lobius Gibson

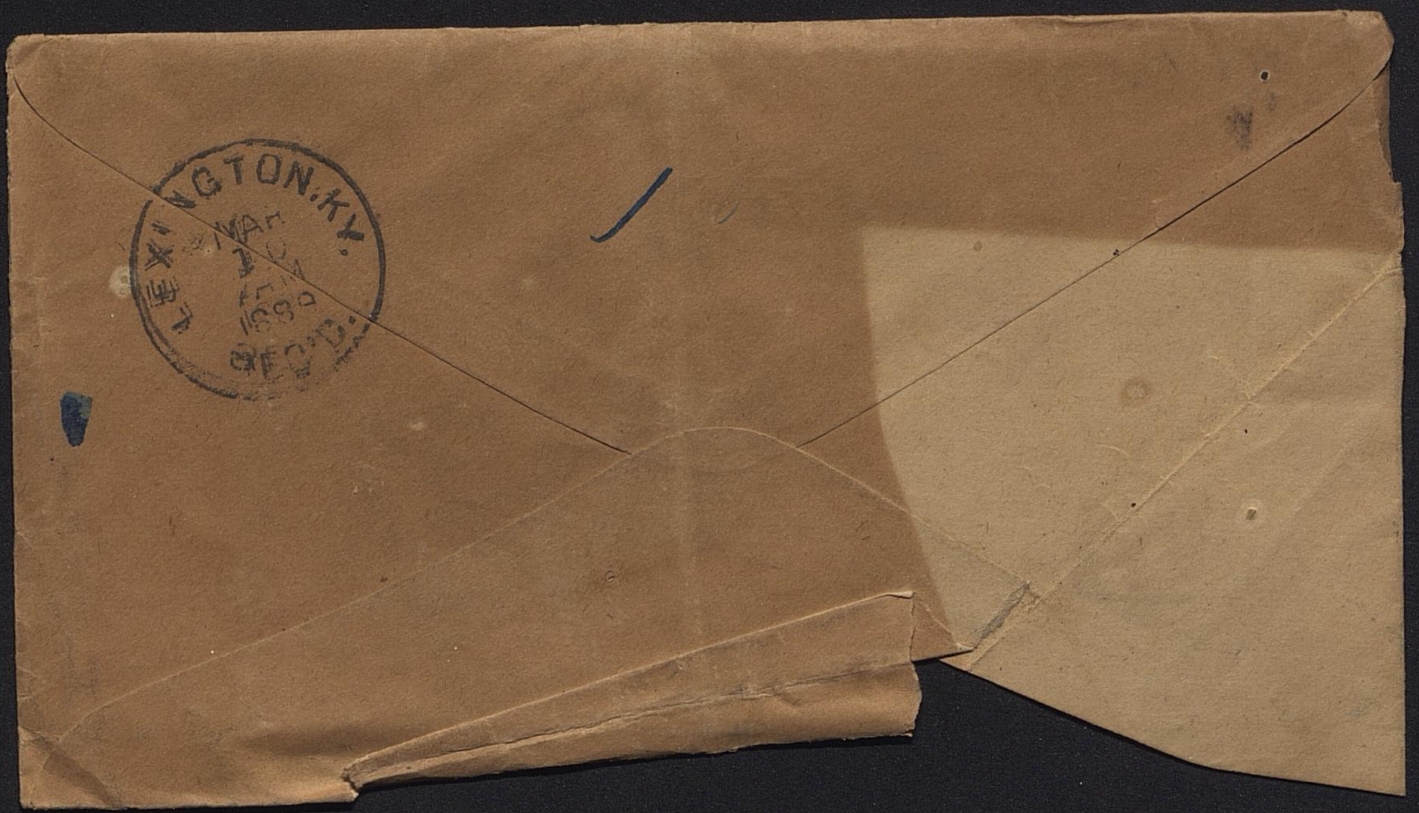
Yours with the
power of Atty came down on
yesterday. Winder is in the city,
but returns today. I shall ask
him to urge Viguerie to pass
the sale at once & let him make
the payment when he sells to
Brooks. I have rumors of
Viguerie trying to buy the
Butler place or the Dancers
place, but Winder told him he
could not get either of them.
He has strong pressure brought
on him by Calder, his father,
Julius Burginier & others to
prevent his purchasing any
place - but law is thick. When

the parties contemplating re-
-solving a contract to writing
it is not a contract until
so reduced & signed. Vignier
therefore can legally back out
if he so desires, but we will
bring a moral pressure
on him to make him stick.
The power of Atty. Gen. he whom
we met him in the City would
have insisted us to strike while
he was hot for the sale -
I wrote to you by yesterday's
mail to Washington addressing
my letter to you & Gen. You will
find out in the long run I know
these people show to take them -
I think the power of Atty. Gen. for
the purposes of the sale. Vignier
went to the City yesterday - He made
over four hundred shares - says he
& is in high place.

He had a very rough time
of it on our trip down. Only
got a slumber the last night
out at 10 o'clock - He was
literally worn out. I mailed
my chickens at Mobile, back
by draft & telegraphing & writing
they came to hand yesterday
just alive & that was all -
This morning they are as spry
as crickets.

The weather here is
warm & windy - The suit of clothes
I got for my trip which
felt like silk up there are very
oppressive here - I shall have
to doff them & wear a thinner
suit - I am glad to get back to
this salubrious climate, though
should have been glad to stay
a while longer up there - I paid
a pound a day while there -

Col Hart Geo
Lexington
Kentucky-



—OFFICE OF—

TOBIAS GIBSON,

Attorney-at-Law,

Room 5, Wainworth Building.

6th & Delaware Sts.

English, German & French
Spoken.

Room 71 Sheidley Building
Main St -

Kansas City, Mo., March 8 1889

My dear Stark,

I have been pugging away now for four months - have gotten a little business and have set on foot projects which if successful will fully compensate me for making the venture here - You appreciate the almost impossible task of getting a footing without a dollar of money - I find that my age too militates against me - However, with money, I don't mean much, but the more the better, I am quite sure I could soon enter the road here to fortune, and my age would be lost sight of - I have two iron shovels in the fire and there seems to be a reasonable prospect of their turning out to suit me - I will not name them to you now for fear they will fail and then you would say, "I told you so!" or "I knew it!"

The boom here is entirely over, and adventurous people are looking elsewhere for enterprises in which to embark and invest their money - The mines in the far West - Oklahoma and to some extent Lakota - Missouri, will soon be

the opening of Oklahoma not less than 50,000
people, of which 25,000 will go from Kansas City -
Kansas will not lose less than 100,000 people
while Nebraska, the Dakotas and the remainder
of the West will lose it is thought possibly
500,000 people - People are passing through
Kansas City every day from the East to Oklahoma
and they are leaving here by the dozens - All
going to the border to await the proclamation of
the president declaring the Territory open to
settlement - I am informed that negroes in
large numbers are leaving Kansas for the
"Beautiful Land" - It would be a most wise
and excellent scheme to start an Exodus from
Louisiana, and in fact all the Southern States
to Oklahoma - It would rid the South of an
eating sore and give place to steady white
people who would start the wheel of progress
in that devoted section - Oklahoma, in my
judgment is going to turn out the prehistoric bubble
that has ever been blown up on this continent -

TOBIAS GIBSON,

Attorney-at-Law,

Room 5, WALWORTH BUILDING,

6th & Delaware Sts.

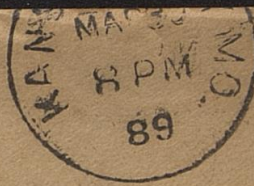
English, German & French
Spoken.

Kansas City, Mo., 188

There has ^{been} more stupendous lying about Florida, Kansas City and Oklahoma, with less foundation, than ~~any~~ all the balancer of the country put together. One would suppose from reports that Florida was the only land of flowers, Kansas City the only place of enterprise, business and wealth, and Oklahoma the only land of promise to the poor and the rich on earth. I am perfectly honest when I say there is perhaps more anguish, more physical suffering from poverty here than at any other given point in America. Persons and even families, listening to the glib representations of the place in flaming advertisements, spread broadcast over the country, have come here from poor homes with a few hundred dollars, expecting at once to get into the whirl of business and soon to become the possessors of fabulous fortunes. Rents high, living out of all reason, their scanty means were soon exhausted, and they are not now able to stay, not able to get away and not able to find work. You can imagine how the proud spirit of the middle class people would grieve and suffer under such

circumstances. The police stations are crowded
with sleepers at night - beggars parade the streets
with the palms of their hands upwards appealing for
bread, young women working for \$2.50 to \$3.00 a week
walking the streets as soon as their day's labor
is over, and the city jail crowded to overflowing
with prisoners charged with offenses from murder
to petty pilfering inclusive. The Criminal Court
is not competent to afford the docket by perpetual
printing out of verdicts. The newspapers are filled with
news of trust sales - foreclosures of mortgages and
flaming advertisements of goods to be sold below
cost - maintain the Bank clearings steadily increasing.
It is an anomalous state of affairs.

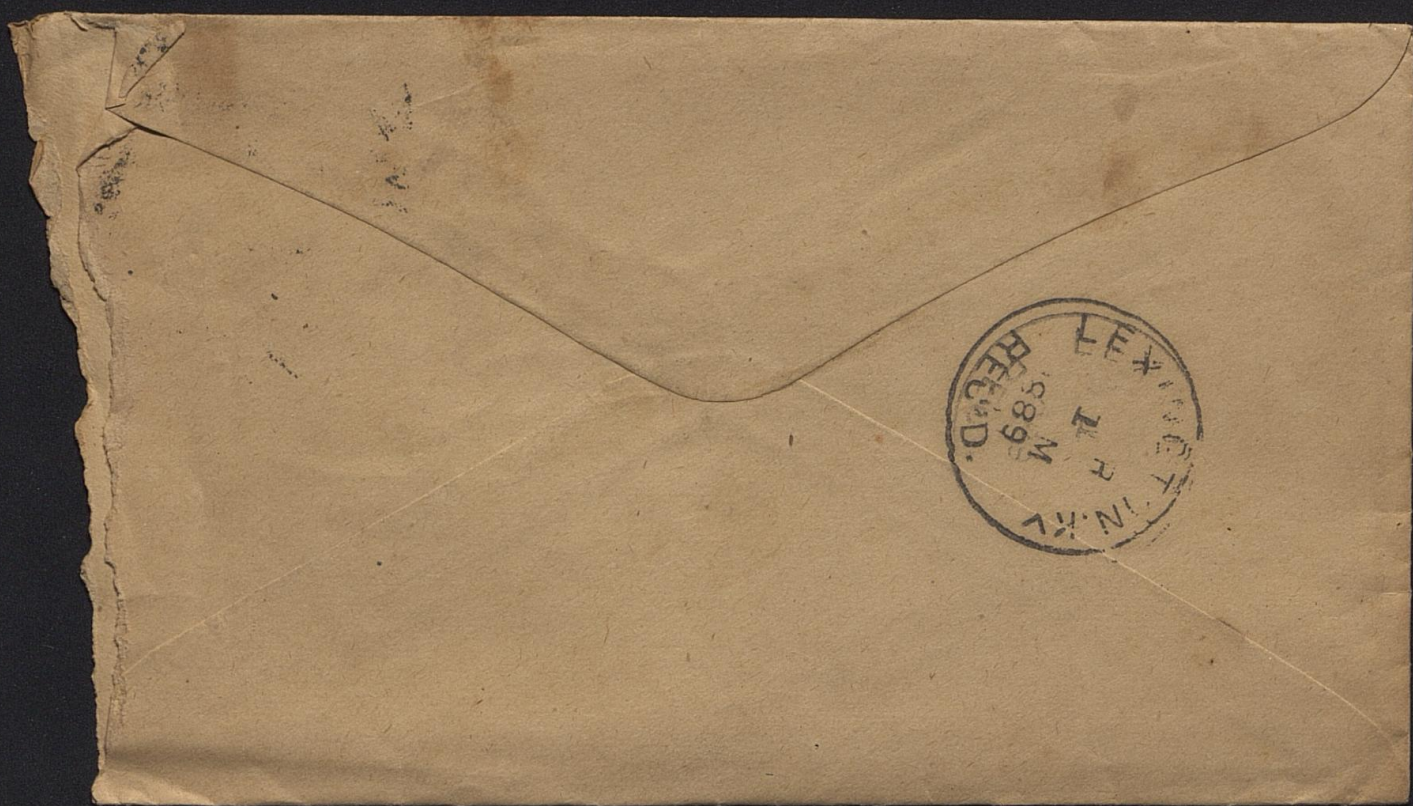
Evy writes me, she sent Fanny to Mary a short time
ago. I hope she will be able to make her useful.
I went to Wyandotte (Yt.) in Kansas yesterday to file a
petition in court and while there walked the streets to
look at the town - 5/7 of the people I saw were negroes and
negro men were the escorts of white women & vice versa and
in a negro ^{female} school turned out, I found 3/4 of the pupils
yellow. Such a mixture one would not expect to see in
the State of moral ideas. Why don't you write me occasionally
I see the Crawfish pond in Woodford is to be picked. What do you
think of the Winder episode? With love to all - Affly, your brother
John



Col. Hark Gibson

Lexington

Kentucky



OFFICE OF
TOBIAS GIBSON,

Attorney-at-Law,

Room 5, Walworth Building,
6th & Delaware Sts.

English, German & French
Spoken.

71 Thirdly Bldg
Main St

Kansas City, Mo., March 30 1889

My dear Harb,

I despair of hearing from you and yet I think if you knew how much your last letter encouraged me, you would write often. However, I must remember "you are not built that way."

Now for a little matter of business. What could I buy 50 feet front of our old lot for? You remember this old lot on the road out to your house and on what terms. I want to buy a lot even if I don't build on it and then hold it for an advance. If a lot can not be had there, then, I thought I might get a lot or even an acre soon in the corner next to your place. I believe it belongs to Dick. If I could get it cheap enough, and on tolerably good terms I would take more than an acre.

Old Mrs. March the furniture people who had the trouble with the Encos when we were boys live in a fine house here and is worth nearly half a million dollars. I think they are the same people. Her name is Mrs. Harriet March and came from Lexington. Of course I don't remember the look of

the people for I was too young, but from what I
hear they are the same - Don't you recollect the
affair between old March & a Miss Eves, a nice child,
12 years old I believe - At the time I was going to
school in a brick house just below Eves' and
March lived at the corner of the street and had
stone steps on the street running up to the front door -
I got a letter from Mr Maxfield just before he left for
Europe saying they would be about five or six
months - I hope they will enjoy their trip & wish -
When does Mother intend to "foreclose her mortgage" & if
I can I will come out to it -

How is Duncan's health now - I heard he had been
quite sick - I wonder if he could not write to me - and
little Mary - Why can't she drop me a line & send love
but by no means least Mary - How is the making it
with "The Link," Fanny - I hope she will have less trouble
than my had - I am trying to make up my mind and
am going to come out to Ky. this summer or spring -
Be sure to write me about the lot - Don't throw any
letter aside and say John has no business knowing any
such thing - With warmest love to all -

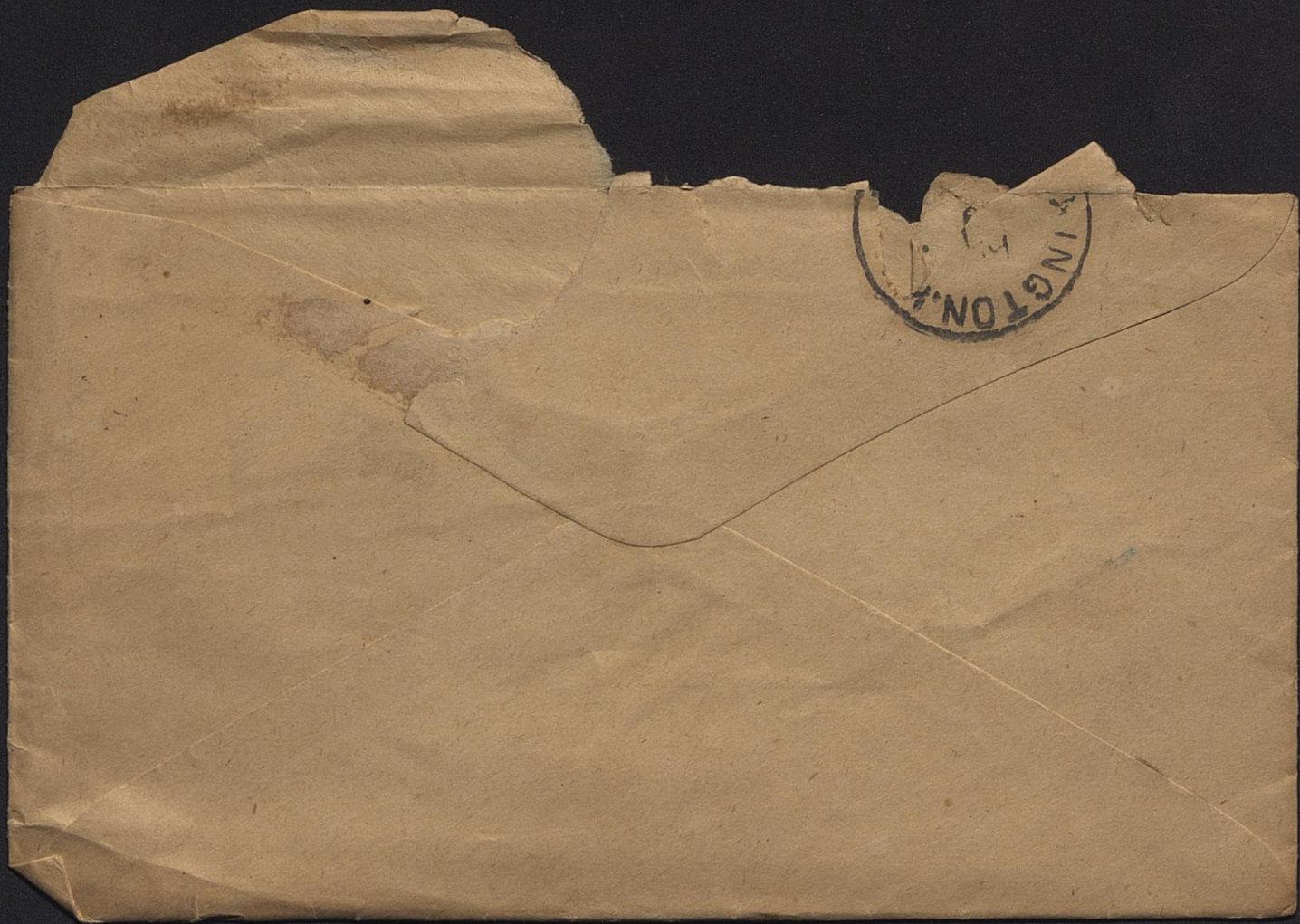
Affectionately Your brother - Tobias Gibson



Col Hark Gibson

Lexington

Kentucky.



—OFFICE OF—
TOBIAS GIBSON,

English, German & French
Spoken.

Attorney-at-Law, 71 Shirley Bldg
Room 5, Hanworth Building.
6th & Delaware Sts
Main St

Kansas City, Mo., April 5 1889

My dear Mark,

I got your letter of the 3rd inst. and went over to
Bullum, Moore, Emory & Co's to see Mr Moore about his
brother's address, but he was out of town and will not return
for several days. When he does I will call on him for his
brother's present address. One of the employees in the house
told me your Moore was at present in Florida. I don't
see why he should refuse to sign the paper so that
the matter could go to the record, unless it were that he
did not understand what was wanted. I would write
him again and repete the letter and if he does not
reply in a reasonable time, or replying refuses to
sign the paper, I would proceed against him in Court
and get the Court to authorize the entry on the record.
The diagram you enclose represents about the
plan you suggested last summer when I was with
you.

I hardly know what I shall do. Every is so uneasy
that for me to stay here would seem out of place.
I agree with you that I can make a living at
law here, but I go further and say I believe I could

make money - I am given over an entrance into many
a field closed to others -

What will your lot sell for or be worth after you
make the exchange with the Lottery Association?
It may be that I shall want one or more - I would
rather have Aunt Thompson's old lot - The owners of
it would be no objection to me -

I want to try to get off by the first of May when I
shall go straight to Kentucky, but I may be dis-
-appointed and not get away till later - or possibly
I may get off sooner - I have a matter here which
must be looked after owing to its great importance
to me -

You mention an thousand dollar house - What
kind of a house could I have built on
the farm for \$1000 - Write me about this -
When Mrs. Miller commences her engagement?

Give my love to the family -

Affectionately your brother
Lobain Gibson

OFFICE OF
TOBIAS GIBSON,

Attorney-at-Law,

Room 5, Wainwright Building,

6th & Delaware Sts.

No 7 - Ritchie Place
Chicago - Ill.

English, German & French
Spoken.

53 Shirley Building

Main St

Kansas City, Mo., May 4 1889

My dear Mark,

I have been time and again, in season and out of season, to the house of Bullen Moore Emsley & Co to enquire as to the present address of L. L. Moore, but was never able to find anyone in who could give me the information. This morning, I got a telephone put in the office & put it to work and after some changes in persons, I caught the right man. Moore's address is No. 7 Ritchie Place, Chicago, Ill. - He is at present in New York at the Bevedue House where I am informed he will be for about a week, when he will return to Chicago. In sending on the disposition to him you had better tell your man to hold it till he catches him at home. I did not answer you sooner hoping every day to get the information you desired. I see by the papers the Lexington race was going on, but I fail to see the names of any of your horses. What has become of Antioch? Last business with me is rather slow, but I am

OFFICE OF

TOBIAS GIBSON,

Attorney-at-Law,

Room 3, Walworth Building,

6th & Delaware Sts.

Kansas City, Mo., 188

in a fair way of making a success of my stay here. Had I come here two years ago, I would to-day be worth \$100,000 - and unless I am very much mistaken I shall push \$50,000 in the coming two years. Of course I can meet with absolute failure, but if I only half succeed, I shall soon be in fix to back the world as odds. My calculation is of course based considerably on hope - if I had \$5,000 or \$2,000 it would be based on certainty. What has become of the Gibson-Foster wedding? I never hear a word of you and yours. Why don't some of them drop me an occasional line - If I can make ends meet, I want to get to Kentucky either by June 1st or in the early part of the month. I shall not begin to get in money before Sept or Oct, or even later - But then it will come indeed. Give my love to Mary & the children and tell them to write to me - I hear nearly every day from Eoy and Berlin.

Affectionately your brother
Tobias Gibson

Return in 10 days to

TOBIAS GIBSON,

LAWYER,

Versailles, Ky.



Chas Hart Gibson

Lexington

ky.



Tobias Gibson,

LAWYER,

Versailles, Ky. Sept 3 1890

My dear Aunt.

Montgomery came
home yesterday morning and
says he will leave for Washington
to-day. He is in great trouble about
him, but seems to have no
control over him. In a letter
to me, he tells me to thank you
for your efforts to help him get
Montgomery in the right track. I
hardly know what he is to do with
this boy unless he adopts the plan
of having him interdicted &
having a trustee appointed
to take charge of his property. I
have written to be my candid
opinion of Montgomery's mental
condition and have told him
that unless he applied the remedy
I suggest, he would be reported
of his property and committed

Tobias Gibson,

LAWYER,

Versailles, Ky. 189

some horrible act which would
disgrace us all. He would keep
and in trust. His last letter to
me is a pitiable lamentation -
Unless he adopts my suggestion I
don't know what he is to do.

I sent by Montgomery yesterday a
specimen of ore found in our
yard about 12 inches from the
surface and in great abundance.
Can't you have it assayed by Robt
Petrie? If there is anything to it, I
shall communicate with
some mining expert, if I can
discover one, and let him try his
hand on exploration, but to work
me nothing. It may turn out something,
or not. I don't like to sit idly perched
up on a fortune and not know it -
There is no good feeling in that. Better
be on a volcano. All suspense!

Tobias Gibson,

LAWYER,

Versailles, Ky. 189

Could you take a little run
down to see us. Emy and Bessie
would be more than delighted if
you would. Come prepared to
make us a real visit. You
can do it if you will. And will
I begin to feel anxious about
the news from St Paul. Drop us
a line or rather come down &
tell us the news.

Our joins are in love to you
and Biddy.

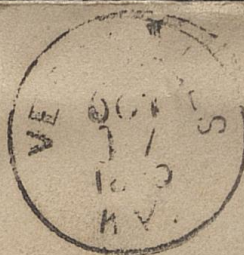
Affectionately your brother
Tobias Gibson

Return in 10 days to

TOBIAS GIBSON.

LAWYER

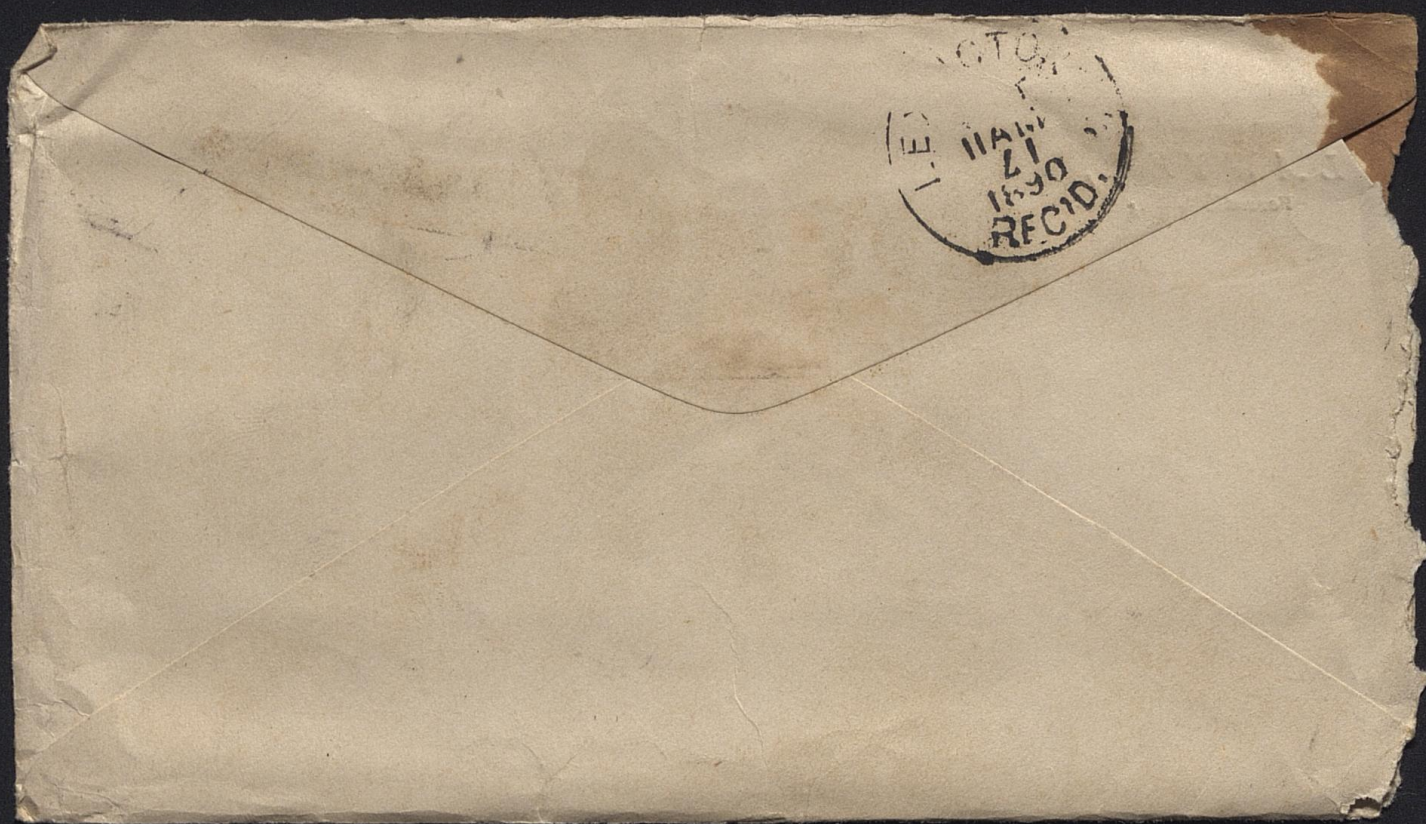
Versailles, Ky.



Cvt Hark Gibson

Lexington

Ky.



Office of Tobias Gibson,

LAWYER,

Versailles, Ky. Oct 17th 1890

My Dear Stark,

I sat in your office pretty much all day yesterday momentarily expecting you - The door was open which induced us to suppose of course you were at work and had only stepped out to return soon - I continued to wait so long that when I finally concluded you were not in town it was too late to make the trip out to your house - I wanted to see you on a special matter and besides, I wanted to know of Ben's movements. I was rather led to suppose I would strike him in Lexington and wanted to get him to come down and spend some time with us in the country - I inquired for both you and Ben from Charley Dorkin, but he knew nothing of us and had not seen you for several days - I heard from several gentlemen that you had spent a long office and they told us as soon as it became generally known you would get more practice than you could attend to - I sent

Office of Tobias Gibson,

LAWYER,

2

Versailles, Ky. 189

know what your purpose is in opening an office,
but if you will frequent it a little, nothing
will stand in your way to getting all the business
you want to turn away. It seems strange
that those who want business and would attend
to it can't get it and those who don't want it
and do all in their power to drive it away, have
it thrust on them. This may be philosophy
but it is not wisdom. People don't know me here
any better than those in Lexington know you,
and yet I can't get the business - and I want it -
while you can get ~~it~~ it and don't want it -
I would be glad to get into court, while I know
it would frighten you out of your wits if
you thought you would on a given day be
obliged to enter the Court room. With a little
fixing up, you would have a beautiful office -
I read all the papers, books and letters in sight
and rummaged through the desk drawers
for hours, but finally gave up in despair and

Office of Tobias Gibson,

LAWYER,

Versailles, Ky. 189

left very much disappointed at not seeing you -
I am sorry I did not find your office locked
so that I should have gone immediately
out to see them all at English - I went up
on the train and returned on it.

I hope you will get her to come down to see
us and come with him - Your absence
will be a good way to avoid visitors to your
office on business -

Willie Breckinridge is to speak here tomorrow
and as I have never heard him, I want to
see if he comes up to his reputation. He will
no doubt have a large crowd to hear him -
With love from all

Affectionately your brother
Tobias Gibson

Return in 10 days to

TOBIAS GIBSON,

LAWYER,

Versailles, Ky.

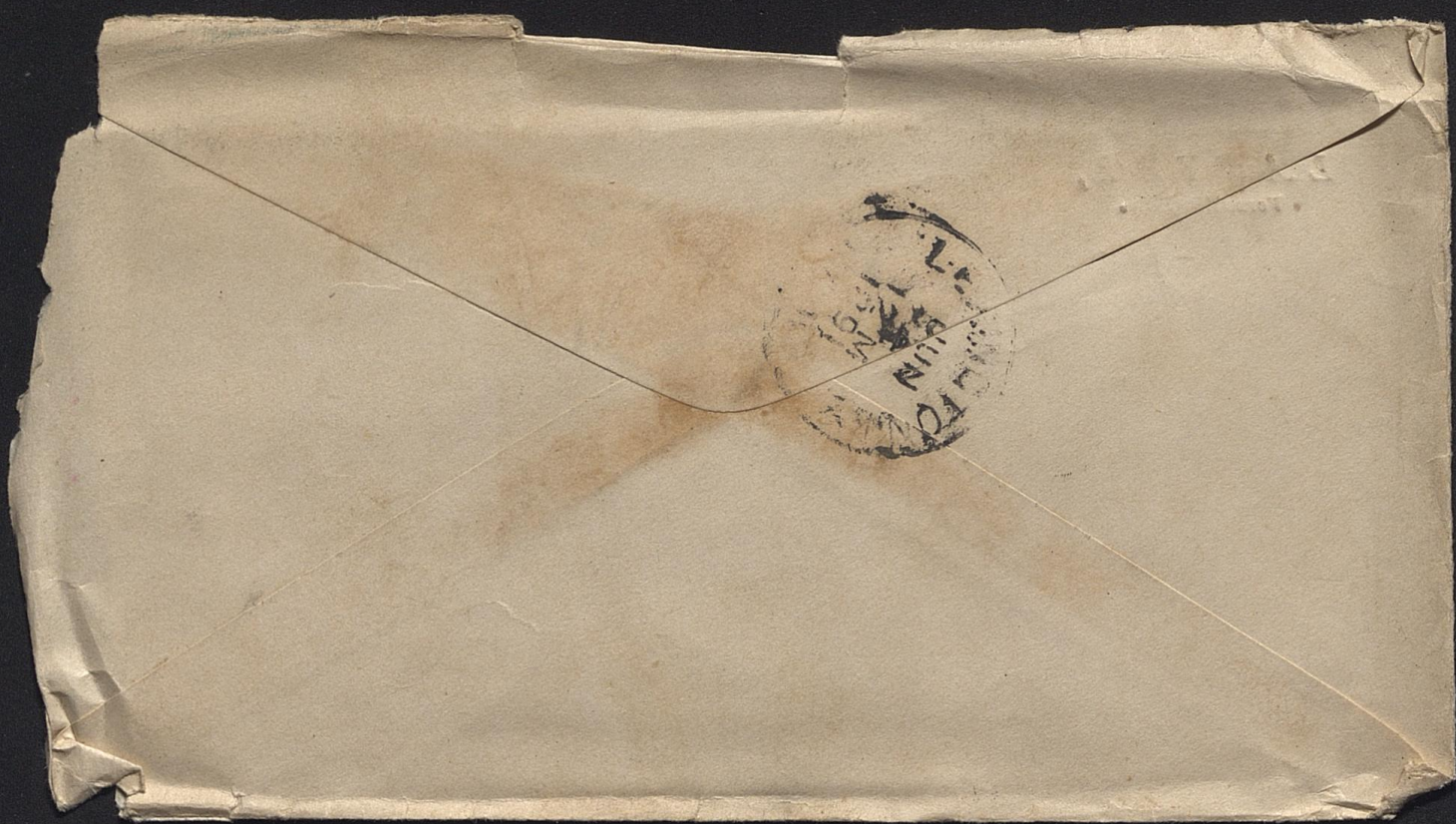
Personal



Col. Hark Gibson

Lexington

Ky.



Versailles, Ky - June 4/91

My Dear Stark,

I hate to bother you and would not do it if I were not crowded - I have just received notice from Bank that I have overdrawn my account - But you send me money the \$50.⁰⁰/₄₄ I paid on the horse sale? If you could it would relieve me of a great trouble - I have no other way to meet the overdraft and if I do not, my credit is gone - I sold my lambs, but they did not bring enough to square me - I have nothing more now to dispose of till the crops come in in the Fall - Come to my relief if you can make it possible -

I write in haste having but a moment before the mail closes -

Affectionately your brother
Lobias Gibson

Attleboro, April 22/92

My Dear Harb,

I and Consuelo up
in the morning and while she is in
farm hope you will be able to get
"The Kaiser" out to Lynde. If you
want, she will be out of season -
she is well in today, but may be
out in two days. I will be up
tomorrow by rail myself - The
train gets to Lexington a little
before 1 o'clock - Could you meet
me at the depot - It will be after
Consuelo reaches you, and we
can go together to get Duncan to
send the Kaiser in to your house -
I would go directly to your place

Col. Harb Gibson

Lexington

By
Milton

but I have some people to see
in Lexington and fear if I went
to your house I would consume
too much time and thus miss
my appointments.

With love from all to all

Affly-

Levin Gibbon

Saturday morning

Commodo still in "form"

Don't fail to be at Depot - I want to
see you especially.

Affly J. G.

VERMONT
MAR
4
10AM
1850
KY.



Col. Heath Libby
Lexington
Mass



237.43

78-00

17.37

2993

381.68

329.93

251.31

Versailles, Ky.
March 4/895

Dear Sir:
Mr. Gibson;

Evidently Mr. Gibson does not care whether he leaves Stable as he found it, or else he would have had it ready by G. T. Smiley sale as he told you I would use it then. When I arrived at Lexington the Sunday before sale myself & man worked all afternoon getting stalls ready & doors closed. I went to expense of putting horses down town for reasons explained. Now Mr. Gibson my stable was

open at each end. I of course
every thing exposed & come
of the Hay & our I certainly
think you will pay for Hay
and extra insurance & expense
of keeping horses on account
of your failure to have
stable ready at the time
you promised. Now write
me what to do with the
stakes in the barn & getting
stable in condition you
found it. If you will pay
hands I will come to Lexington
and get stable ready my self
Answer at once

Yours Resp.

Chas. H. Rogers,
Versailles,

Ky.

Minna May 14/98

My dear Arab,

I sent up to Jim Clay's Sunday for
Circulo and The King of Bethlehem. He will be
a month old on the 16th and is the largest foal
and strongest colt I ever saw. He has the
color of the Knicker - hind feet white and almost
if not quite a blaze face. He is a much
finer specimen than Jarto at the same
age and you know she was a show filly.
She has been eating 12 quarts of oats and
12 quarts of corn and an abundance of
grass, but is not fat. She is now over a
year old and is a little the size of 14
hands high - a great feeder and as active
as a cat. I wish you and Duncan could
come down and take a look at both colts.
I want to make some arrangements with

part for his running qualities. I can't
afford to sell him. I must run him and then
return him to the stud. The stud of Bethlehem
of course, I shall sell next spring in his
yearling form.

We have had a terrible time with the
weather. The cut was an awful weather
except in my garden. Last night freeze
I think did me no harm, but shall know
certainly later in the day when the effect
of the sun can be seen.

Lulu is expected back about the 20th. She
is in New Orleans now, I believe.

Come down
as soon as you can and take a look at the
colts and bring Duncan with you.

Affly
Johns Gibson



Wm Stark Gibson
Lexington
Ky.



Murder March 16/98-

My dear Aunt,

Some time ago, I wrote to Mr Harry Foster at Limerick to send me the seal ring McKinley gave me a short time before he died. He had it engraved on the inside and on one Father's birth-day gave it to me. Mr Foster borrowed it from me to take the impression of the seal and I enjoined upon him not to return it by Express or mail for fear it would be lost. It is the only one extant. He writes me that on his recent visit to your house, he put the ring in your desk in the left hand drawer inside, thinking I would get it when I happened at Limerick. My trips to Lexington are so hurried that I but rarely have time to stop at your house and don't know when I shall have the leisure to do so. In order that I may get the ring shortly, as I have a special use for it, would you please leave it with Charley Vachin at the Northern Bank, where I will call for it the next time I am in Lexington.

My stock have had a hard time of it this winter and I have suffered from dumbago and rheumatism otherwise. My filly by the Kaiser, I have managed to keep in good fix - She is now on oats and prizing on rye. She is gentle and has fine legs. What state is it she is entering in and where.

The Sirapio Colch from Fanny Aiken is very fine and in
good fix and has fine size & style - He will be a
magnificent horse, and I think will have speed -
The other Siraphos. are very "honest" - badly shaped
and poor specimens.

We are having some little
improvements made about our house which
keeps me closely confined at home - The summer
kitchen, I have moved up to the house and in a few
days will be completed as a kitchen - Our present kitchen
will be converted into a dining room and our
present dining room into a library for reading
writing, loafing, smoking &c &c - I have worked
myself down at making the changes till every bone in
my body pains me -

I have a letter from Sister B. Day - She is at Magnolia
and in the depths - She says Tom Casey bought the whole of
Live Oak instead of $\frac{1}{2}$ and will reside there and put her
overseer at his Greenwood plantation - So the whole
instead of the $\frac{1}{2}$ of Live Oak was sold - 8-00 of the books mostly
new standard works of the library sold for \$4.⁵⁰/₁₀₀ - Everything
went in proportion - Attends to the matter of the ring -
Affly - Love E. Gibbons



Chester Hart Gibson
To Hon Harry G. Foster
Tacoma

Washington



Miner Oct 23. 96

My dear Aunt,

I have not had a line from you since you left Ky. but have given no thought to it since it is not your habit to do those things which you "had set to do". I will now to try to add to the pleasure of your visit by giving you a letter of introduction to Mr. F. S. Leib, a Lawyer of St. Louis, who married Miss Lida Grissin. She is in Ky on a short visit and spent last night with us and while here insisted on my writing to ask you to visit them at their home. She is a cousin of Edys and one of the most accomplished women I have ever met. She lives in the highest style and considers it a privilege to entertain Kentuckians. I know you would enjoy a visit to them and I want you to go there and partake of their most generous hospitality.

You are getting along about as usual. Lucie is at home. Did not return to school. I saw by one of the Lexington papers that you propose to

make a trip through California on your
way home - Don't fail to go to San Jose and
present the accompanying letter -

All are well at Larchmont and Sumner's Forest -
My "Chance" colt is not large, but well shaped,
and may make something - I am stuffing
him now to give him size - The Raiser - Loumelo
nick, I think, is a good one - "Mirador", the "Chance"
Colt is a bright sweet, white-fur and blue-fur -
Jarto, I fear, is never to be much on account of
his "spury cutting" - Has plenty of spirit and
fornices, but cuts himself badly -

With warmest love to all from all

Affectionately your brother
Loring Garrison

I think R. will go for Bryan by a small
majority - and it looks to me as if the 7th Con-
District will go for Brinkins and yet there
are many who don't count this way -

Mirador Nov: 12. 97

Since hearing Mary was ill with Typhoid
fever, I have heard nothing - do you hear too
much from day to day, could you drop me a
line - What is their address?

I am pretty well satisfied Cornelius is all
right - Could you give me the date? If so drop
me a line - With love from us both to all

Affly,

Lobias Gibson

POSTAL CARD - ONE CENT.

UNITED STATES OF AMERICA.

THIS SIDE IS FOR THE ADDRESS ONLY.



Col. Harry Gibson

Lexington

1899



Col. Hark Gibson
3114 Decoto Street
New Orleans
La.

Sat.	Jan 20	fair.	11	after noon
Sun	" 21	"	"	all day
Mon.	22	"	"	" "
Tues	23	"	"	" "
Wed	24	"	"	" "
Thurs	25	"	"	" "
Fri	26	cloudy & cold	"	"
Sat	27	Clear	"	"
Sun	28	" "	"	"
Mon	29	" cold	"	"
Tues	30	cloudy	"	"
Wed	31	Trans -		after noon
Thurs	1	Clear	all -	all day





\$ 500⁰⁰ 60/100

Dec 22 New Orleans 1899

Maj G. L. Hall

Pay to the

order of The Citizens Bank of Louisiana

Five Hundred

Dollars

Value received and charge to account of

To Maj G. L. Hall

New Iberia Louisiana

Hart Gibson

3114 De Soto St

No

No attention

PAY

New Heriough St

ON ORDER

Citizens' Bank of Louisiana,
NEW ORLEANS, LA.

Cashier

CITIZENS' BANK of LA.

New Orleans.

.....
N O P R O T E S T .

Please take this off before presenting
If not paid, please return immediately.

Mirador Jan 13. 1900

My dear Harb.

I have just received your letter - I mailed one to ^{you} yesterday in Livingston - It will explain my situation with reference to Hall - I have no idea he intends to do anything but make promises - I wish you would go at once on receipt of this letter and in my name draw through the Citizens Bank for my annuity - Sign my name as if I were present, if the enclosed will not answer - If I get a check from Hall in the meantime I will promptly wire you, but I think it highly improbable -

I will write to Rogers to call on Hall for security for the punctual payment of the annuity in the future and tell him you will call on him in my behalf - Show him my letter to you about reasons for proceeding - Have a talk with George Kott, President of Citizens Bank, an acquaintance of mine - a great friend of Lee's -

It may possibly be better for you to sign my name, so it will appear I am in New Orleans - but I leave

this to you and George Kott to determine. I think
it probably best that you should draw the draft in my
name which will make it appear later on the record.
Also, it may be the wisest course for Raper hereafter to
make the demand for the annuities every year. It is
all folly for us to allow Hull to go on in this way. If the
matter were in court, Hull would not survive an
instant. As soon as the facts were presented he would
unhesitatingly be whipped of justice. Dismissed from
the executorship - lose Montgomerie's share bought
by him for \$2500. in violation of a special provision
of the will, and another - an administrator with bond
would be appointed - and then there would end all
our trouble and danger. See Raper for me as my
friend and for me. Have a talk with him for me -
and then both if you write to me - I don't see any
way to coming south now - every dollar is required here
for necessary calls. But whatever you do, do at once -
and write me fully.

With love to all from all -

Affectionately your brother
John Gibson

I have a letter by this mail from Sister, dated the same
day as yours.

If the Bank sends me its check, it is paid at once, if you send your check it
is only taken for collection, and would keep me cash of the money a week
or ten days - Please keep this in mind when Hall pays the draft -
Mirador Jan 19. 1900

My Dear Mark,

Last Friday at Livingston I mailed a letter to you
and on Sunday, getting yours of the 10th, I mailed another with a
draft on Hall through the "Citizens Bank," expecting you to instruct
the Bank to forward to me its check as soon as the draft was
paid. I have no acknowledgment of either of these letters,
though it was of the greatest importance to me that I should
have had some notice of their receipt. I take it, of course
you can not or do not appreciate my anxiety, or you would
have at least dropped me a postal card. I do hope you will
write on the subject we have in hand, and if you feel un-
able to conduct the business as we desire, I will make the
sacrifice and come down. Of course, to spend as much
money as would be required to go and be in New Orleans
for ten days or two weeks, would be to me a sacrifice I
am not able to make, yet, I would do it if it becomes
necessary.

As I look at the situation there is only one course to
pursue. If we select Rogers as our Atty. let him make an
arrangement with Hall to furnish within — days a bond
with good security for the prompt and punctual payment
of the three annuities, to you, to sister & to me at their maturity.

each and every year on Dec 16th as long as they survive,
with the addition that in case of refusal, or failure to
respond to the demand, proceedings would be taken looking
to his dismissal from the executorship of the fund
from which the annuities are derived, or from the executorship
of the entire estate. If the grounds alleged were sufficient
to dismiss him from the control of the annuity fund, it would
operate ipso facto his general discharge. False in one, false in all.
You ought by this time to have made a sufficient examination
of the records - have consulted enough with Rogers, Righter,
Gill, McEnry and others, to have formed an opinion of the
general condition of things - It is this summary of ideas,
or opinion, I would be glad to have - Donk takes for granted
that I know what is going on with in your brain, that
of our friends or Halls. Write it to me, and then I will
know it and upon that, I can not only form an opinion,
but I can write to you intelligently on the subject - Won't
you do this for me? Your silence is appalling to me - I have
notes in bank over due - running accounts unpaid and
payments demanded, and not a dime in the house - It may
be that my letters to you have miscarried and you have not
received them - Please write me what you have done or ex-
-pect to do - and write as often as you please develop -
With love from us all -

Devotedly your brother
Tobias Gibson

Murador Jan 24. 1800

My Dear Mark,

In the last two weeks, I have written to you three times. My last letter was on the 22^d and I have no more information about the condition of things than in the very beginning. I think you threat to Hall to see how much him hold back both sister's and my money, knowing we would have no money to see with, and besides he would be in position to use our money to fight us with. I still think my plan was best viz: when the money out of him and the interest all the annuities were paid, promptly begin a suit. First make a demand for bond with good security and failing to give this, move for his dismissal from the executorship, and have some more appointed Administrator with good bond. I wrote you to let me know the full appraisement of the succession which went into Hall's hands as each is redeemable to each. Without certain facts, I can't make up an intelligent opinion. If I were there, in a few hours, with all the facts before me, I would know exactly what to do, and would do it. And if you and sister were not willing to go in with me, I would go it alone. For four or five years I have done my best to induce you both to act, but a tardy payment by Hall had

the effect of mollifying your anger and exciting or stimulating
your hopes for the future. And I had my way, and I very
much regret I did not have it several years ago, I would now
be in position to get my money promptly Dec 15, without
any kind of worry. Threats always do business. They never
accomplish any good.

What I want to know now is, did you put my draft in the Citizens
Bank, or did you draw in my name? If either of these
was done, and it is immaterial which, was the demand
paid? If not, what was done? If you are not at leisure
to write me a letter on the subject, get Duncan to drop
me a Postal Card, simply stating the facts as to whether
the draft, or a draft was sent forward and what was the
result. Did Hall pay my draft? If not, why not, if he says
why not?

If I had the money, I would ask you to telegraph me
at my expense. It is important for me to have some
kind of information. Sister is silent as death, and you
seem to think it right to pursue the same tactics. I don't
understand why. Don't you drop me a line, otherwise
I shall have to get a friend to see the Citizens Bank and
make the inquiry and report to me with some promptness.

Affectionately your brother
Lobias Gibran



Col Mark Gibson
3114 Decoto St
New Orleans
La.



RECEIVED

Mirador Jan 22. 1900

As you have your money
and you can afford to be
independent and ready
to make suit - put
me in your fix, and
I will be the same -
I will be into
the fight without any

I have your most extraordinary letter of Jan 17th and aim at a loss to understand after all I have said, written and urged for the last five years or more how you could have conceived the idea, if you really have, that I would decline to unite with you and sister to either make Hall give security for the prompt and punctual payment of the annuities, or be dismissed from the Executorship - I have even gone so far as to threaten to "go it alone" if you and sister would not join me. The only thing was to wait till we got the money from Hall to work with and then begin on him - but if he is threatened with suit, he will refuse to pay, and use our money to fight us with - and hold us off for a year or more. If a proceeding by "Rule to show cause" can be invoked, then it will be as if we were a summary proceeding, but if by petition, there is no telling when it would aid. It is important therefore to get our money in hand and then we would all have money on hand to work with. You know, every paper filed in a Middlesex Court has to have a stamp on it and it requires the clerk to get the stamps. Lawyers do not advance stamps for clients. As soon as Hall pays my annuity due Dec 15. 1899, I am willing and shall be more than pleased and

anxious to contribute my full share or even more
towards the proper proceeding to require him to
furnish security or to give up the estate. At present
there is no other issue for us to concern ourselves
about. Claims of titles to property sold or disposed of can
be looked into and presented by the new administrator
when appointed. He is the person to correct Hall's frauds
and misapplication of the resources of the succession.
I sent to you on last Sunday Jan 14th a draft for \$500-
through the Citizens Bank on Hall. You can retain out
of the money whatever amount may be my contribution
to the suit against Hall and send the remainder to me
by bill of Exchange (Bank Check) not personal check. I hope
I have made my position clear. I fear your threat to bring
suit has made Hall take the position that he is not justified
in paying anything except at the end of the threatened legal
proceeding. This would be unfortunate so far as I am concerned
as it would find me in debt without the ability to raise money to
compell him to pay. Never draw a weapon unless you are
able and willing to use it. Let me know if you send the draft
forward and what comes of it. If it was not paid, let me
have Hall's reasons for not paying, if he gives any.
Write me your views calmly and fully and then we can
discuss the situation. I am in the dark and would like light.
I am sorry you have seen and made no friends. Hall does care
about you but fears public opinion. Affly
Lobias Gibson



Cal Hart Gibson
3114 Duane St
New Orleans
La.

If you see Sister tell her a note from Lucy just returned from
Richmond, says Sally is better - Lucy goes to see you in Lexington to day -
Mirador Jan 26. 1800

My dear Sarah,

Of course I am in the dark till you have
had a talk with a lawyer and given me the result of
the interview - I wish you would look in the City Directory &
find the office of J. M. Gill and go to see him - He and I
officed together two years and tell him I asked you to
call on him as my friend -

1. We must first find out positively if the Courts in New Orleans
have jurisdiction of the case - I think they have - But inquiry,
have they?
2. Then, what grounds must be alleged to accomplish Hall's
dismission as Executor?
3. Is it expedient to proceed by "Rule to show Cause" or by
petition?

When our administrator is appointed, it will be time
enough to inquire into title of property alienated
by Hall -

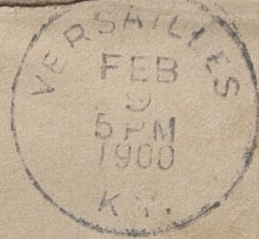
I am by no means wedded to Walter Rogers - Any other
lawyer will do - Benedict, McEnery & Ellis, Charleston
Hunt, Crutgey & Ferriss - Judge Righton would give
you a good selection, but I judge you have not seen
him -

It is almost impossible for me to go to New Orleans, but
if absolutely necessary will do so, but before I leave
I would like for you to have an interview with
some lawyer - and then write me - You will
also have to look me up a cheap little room
and I can get my meals outside - Dont mess up it -
Dont antagonize Hall till I get my last years money -
When I get it, I can have some fuel with which
to make the fire - Have everything ready - meantime
I will try to work Hall - I am making an appeal to him
by this mail - If he can not be worked with the turf I
throw at him, then rocks must be resorted to, and when
I begin with rocks, the fire will fly - It will never
reach to him and his - but there will be no threat indulged
in - Threats are but bluster and accomplish nothing -
They simply enrage, but do not bring to terms -
I got a letter from you yesterday after mine to you was
mailed -

Dont spring the trap on Hall till we are ready -
Frank Richardson and others will keep him advised -
Be therefore circumspect - be quiet in your work -
Dont fail to see T. M. Gill - All at two - Hall once told
me he had taken to drink - He is a perfectly fearless fellow
and a good friend - see him sure and introduce yourself -

Wm - Love - Devotedly your brother -

Johann Gibson



Col Hart Gibson
3114 Decoto Street
New Orleans
La.

NEW ORLEANS
FEB 11
9-AM
1900



Mirador Feb 8. 1900

My dear Aunt,

By 4 days mail I received a check from Hall for \$500.00 on Citigues Bank, making no mention of interest due me since Dec 18. 99. It will take at least a week for me to get the money on the check, and by that time it will be two months of interest due me. I wish you would write and let me know what my proportion of the expenses of the suit will be and I will send it to you. I would be glad to be kept in touch with what is to be done and doing. I don't think it will be advisable or fair to proceed against Hall till sister gets her annuity; for the moment he is notified he will shut down on her and only pay when he must at the end of the law. Of course she will notify you as Judge Rogers the moment she receives it.

I have not been to Lexington for an age and another bad spell of weather has set in. You heard of Preston's marriage?

With love to all from all of us.

Affectionately your brother
Loburn Gibson



Col Hart Gibson
3114 Decoto Street
New Orleans
La.

173. 3rd Av



Can't you make a fair copy of the petition against Hall send it
to me and his answer if any.

Mirador Feb 16. 1900

My dear Stark,

Of course, I have been anxious to hear from New Orleans. I had written to Gill, to Rogers and to you and awaited a response from any one of you in order to shape my receipt to Hall of his check. Your letter is not satisfying and forms no guide for me to follow myself by. It is general - not specific - gives no details. Hearing this, I wrote to Rogers to inform me as to procedure and its tendency or ultimate purpose. I can understand a demand for an accounting if it is to form the basis for a demand for security for the prompt and punctual payment of our annuities at their maturing each and every year. Otherwise it would occur to me to be a useless inquiry in which the annuitants could have but little interest. I do see where our interest could be entertained, if the executorship of the estate were carried on irregularly or contrary to the provisions of the will, or there were misfeasance or malfeasance and the interests of the annuitants were jeopardized, but the simpler proceeding, it occurs to me, would have been to allege misfeasance or malfeasance and demand bond with security. After all when irregular and culpable conduct is proven, then I suppose it is the purpose to ask for the security. It is what

the law & practice - a multiplying of actions. When one
direct action would have accomplished the same result.
However, I presume you have gone over the whole matter with
Judge Rogers and the proceeding resorted to is the wisest under
the circumstances. I am satisfied Hall's delay in paying
us, is attributable to the fact that his estate has been put
into his business - & his wife - and parties knowing this, hesitate
to make advances to him, and until this hesitancy is done
away with and he gets the money - the advances - he can not
pay us. I am not surprised that merchants hesitate to make
advances on a plantation rehabilitated and run by the assets
of his succession, for an allegation of fraud in an action
to recover the estate would have precedence over any
claim to the advances of money or supplies might set up
his ownership (?) of 1/3 of the succession would not help him, but
rather show bad faith on his part, on a reading of the will
by persons to whom he would apply for advances, especially
would this be the case if they were apprised of your proceeding
against him and of its possible results - results which might
mean his dismissal from the executorship. I wish you would
write to me in full.

I would be glad to make a little visit to New Orleans and Terrebonne
but I am behind in my accounts and much to be on the ground
to harmonize things. The 1st of March is pay day, and if I were not
here, we should lose our rack - which would be blue ruin to us.
My anxiety has partially filled up paper.

3 For several days the weather has been simply abominable -
The mercury keeps fooling around zero - there is about
6 or 8 inches of snow on the ground, the wind blowing like
cutting knives from the north-west and the sun shining
as if to tantalize a fellow - but never a particle of thaw, not
a particle of dripping from icicles - I am foddering and
foddering corn, oats and hay and yet the stock stands up behind
the buildings and shivers - If I had a pass over, I could
not be away just now - A letter from sister tells me Joe is with
her - She has not gotten her money from Hall and almost repairs
of were getting it - My threats did no good, but when I got on my
knees and made an appeal, after some indulgence in his
eccentricities, lying, he sent it forward - There is due me just
5-5-5 days of interest of 6 - which I certainly shall demand of
him - He suggests in his letter, that as I am so hard pressed
for money at the close of the year, it will perhaps be better
hereafter to send it by Dec 15. This brilliant but tardy idea
may have come to him as compensation freight on the
train which carried to him the notice of the suit for
an accounting! Who knows? If proceeded against
vigorously, Hall will realize that he is in the middle of a
bad fix - He will diplomatically call to see you - urge
the justice of his position - ask for annuities and quit terms
and being refused, beg for money for God's sake! Then will be
the time to propose and dispace - to smite hip & thigh and
lay down terms of surrender - Trust him in nothing - Believe

no rather - I lay down the law and demand conformity to it -
An administrator with bond, is what we want and all
ought to have - the biggest fool and criminal idea is for a
man to die and leave his heirs - his children - at the
mercy of anybody as executor without bond - It is like a
fellow landing in a boat and pumping out and giving
the boat a kick backwards into the flaming volcano
without rudder, sail or oar - It is the parting shot that
sends his children to poverty and his executor to wealth -
When you get Hall by the ear, all I have to say, and it is my last
injunction, "Trust him not he's fooling thee!" Beware, Oh!
Beware - He can both false and friendly be! Barker care, he takes care!
I have not been to Lexington for an age so uncertain has
the weather been -

My chance colt, now a 4 year old, makes me a nice buggy horse -
Corrusculo, I think is to have a colt, but has fistula very badly -
I had it opened a short time ago - I despair of ever curing her -
So if she has the colt, as soon as weaned, I shall dispose of
Corrusculo with a gift or bullet -

I know of no news - you see the papers and know what is going
on here - A man from Dudley Co: spent the night with us - He is the
husband of one of the women at whose house I stopped in Feb 1862 and
was arrested by the Home Guard and threatened with hanging - He was
a Confederate soldier -

I hope I have not bored you with this long letter - With love to
all from my, Lucia & myself - Devotedly your brother
Lobias Gibson

No.

New Orleans Jan 15 1883

~~Louisiana~~
State National Bank
OF NEW ORLEANS.

Pay to the order of Mark Gibson

Two hundred & twenty three Dollars

\$223

Lobias Gibson

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New Orleans
La.

Mirador Nov. 22. 99

My dear Hark,

You know, of course, the reason I did not go to Lexington on last Monday - It was useless to see you until I had the desired information about the fodder and the feeding place, and that I could only get on Monday and you would come to see me very late Saturday evening - I was in town by 9 1/2 A.M. Sunday & waiting on the street for you - After you had left, I saw Miss Lily, and gave her the information, which is about as follows - The cheapest I could get fodder at is \$3.00 cts - to feed it and I had not yet gotten a feeding place - In conclusion, my estimate was that in the aggregate the fodder would have cost not less than about 18- or 16 cents - Miss Lily and I both agreed that as at Lyndale a man was employed generally, it would be cheaper to buy the fodder near by, and have the man feed it at home -

I am sorry it turned out that I did not see you - In less than a month the annuity will be due and when Hull hears of your presence in the City - he will be in terror - In case of need you might see Judge Walter Rogers in the Hunner Building and

1530 N. Berrall



have a talk with him - I desire especially to know
if the annuity is not entitled to $8\frac{1}{2}\%$ interest from
the day the annuity falls due till it is paid and
how long from the death of the testator, the Executor
has to make payment of the first annuity, and
if he takes two years if the annuity is not
entitled in $8\frac{1}{2}\%$ interest from the date when the
first annuity fell due.

You ought to go down to the
Court House and look over all the proceedings
in Lei's succession - Rogers will be of service
to you and can in five minutes put his hand
on the record.

I want you also to inform yourself as to whether
Live Oak was sold as Lei's property or Lei's & Margie's -
You know he acquired it during marriage
or coverture and hence it was community
property - Knowing all as I do, I doubt if the title
to Live Oak is now in the hands of the present
vendors or transferees. After looking at the record
talk with Rogers about this.

If you want letters of introduction to parties
in New Orleans let me hear from you and if I know
them I will forward the letters promptly -
Write to me. With love from us both

Affectionately your brother
Levi S. Gibson