5-14-1828

John V. Henry to Peter Kean, May 14, 1828

John V. Henry

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ALBANY 14th May 1828

Dear Sir,

I have recently received a copy of the bill filed by the Earl of Edward Campbell against your mother, whose injunction was obtained, to restrain the sale of the Schuyler property under the Duncan mortgage.

The bill is founded upon a mortgage from Harman C. Schuyler to Richard Duncan, assigned to Doctor Campbell, for $2853, paid on the 4th of May 1816, and the object is to be set up to redeem against your mother's mortgage, when an account is to be taken, excluding all compound interest.

The Schuyler part of the estate, is much more than sufficient to pay both the mortgages, and I suspect, but it may be wrong, that the Earl of Schuyler, the not parties to the bill, have concluded, if they have not prompted the suit, for the sake of delay. The measure will however turn out injurious to the estate, occasioning costs, which with those that have arisen under the advertisement of the sale, must far exceed any compound interest that is claimed, or expected to be got rid of. Besides the defence to the bill for redemption, a bill of foreclosure must now be pled, which, the late extensive mortage of advertisement under the statute, was intended to have saved.

I am engaged in drafting your mother's answer to the bill, and want immediate information, whether she can conveniently come to New York, to swear to it.
on, whether a commission must be obtained to take him in

Is the latter case, be pleased to name three competent
persons as commissioners and to mention their places of
residence, and additions.

Instead of remitting your bill, as I hoped amid the
last moment I should have been enabled to do, I must now
request the advance of money. The printer’s bill in tobacco
alone amounts to $71. 67½, and that of the Daily Advertiser
in the city, to $374. 70: the payment of both of which has been
requested.

There has been, to say the least, a want of ingenuous
help on the part of the Editors of New-York, which will lead to
me to a vigorous prosecution for incarceration.

I remain here for
Very truly yours

[Signature]

Peter Keen Esq.

Witness.
Peter Kean Esq.

Elizabethown
New Jersey.