

[TO: Elias Carr, Raleigh, N.C.]

State of North Carolina,
Executive Department.

Raleigh.

Copy.

Greenville, April 15th. 1896.

Hon. Elias Carr,

Raleigh, N.C.,

My Dear Sir:-

Referring to the verbal report I made to you some short while ago in reference to your claim as agent of the Swain heirs against J.H. Smith for balance due for rent in 1892 I now emphasize in writing what I then said verbally. Mr. Smith, as you know, is utterly insolvent and nothing can be made out of him in a civil action. His unwillingness to pay is fully equal to our inability to collect. I thought, however, I could frighten him into a settlement by the threat of an indictment for removing the crop and on one occasion I had a witness summoned to go before the Grand Jury, and for some time I believed I would succeed, and I so informed you. In a trial had last December in a suit between Smith and Johnson which involved to some extent the transaction on the Swain farm I became satisfied that I could not force Smith to pay any thing and I so informed you. I investigated the facts in the case and I came to the conclusion that it was exceedingly doubtful with him to testify in his own behalf, if he could be indicted in criminal indictment and for this reason I did not press it. I was unwilling to bring witnesses here from a distance and run the risk of a big bill of cost when I was not satisfied we could convict, and I did not press the indictment. I regret my inability to make the collection but I have done the best I could.

I am,

Very truly yours,

Thos. J. Jarvis.